

KFM House journal of the 26th legislative
9018 assembly 1939
.A2
1939
26th

Montana State Library



3 0864 1006 9882 1

OF THE

Twenty-sixth Legislative Assembly

OF THE

STATE OF MONTANA

Held at Helena, the seat of Government of Said State,
commencing January 2nd, 1939, and
ending March 2nd, 1939

J. P. BRENNAN,
Chief Clerk.

HILDA RICHESON,
Journal Clerk.

PUBLISHED BY AUTHORITY

KF4
9013
.A2
1939
26th

HOUSE JOURNAL

Twenty-sixth Legislative Assembly

STATE OF MONTANA

Made at Helena, the seat of Government of said State,
beginning January, 1939, and
ending March 22, 1939

J. T. McPherson
Speaker

William E. Wilson
Deputy Clerk

PUBLISHED BY AUTHORITY

HOUSE JOURNAL

OF THE

**Twenty-sixth Legislative
Assembly**

OF THE

STATE OF MONTANA

**Held at Helena, the seat of Government of Said State,
commencing January 2nd, 1939, and
ending March 2nd, 1939**

J. P. BRENNAN,
Chief Clerk.

HILDA RICHESON,
Journal Clerk.

PUBLISHED BY AUTHORITY

STATE PUBLISHING CO., HELENA, MONT.



HOUSE JOURNAL

OF THE

Twenty-sixth Legislative
Assembly



First of Session, the first of Government of said State,
commencing January 2nd, 1853, and
ending March 2nd, 1853

WILLIAM F. JOHNSON,
Printer, Albany, N. Y.

J. P. KIRKPATRICK,
Printer, Albany, N. Y.

PUBLISHED BY AUTHORITY

ALBANY: J. P. KIRKPATRICK, 1853.

OFFICERS AND MEMBERS

OF THE

Twenty-sixth Legislative Assembly of the State of Montana

Governor: ROY E. AYERS
 Lieutenant Governor and President of the Senate: HUGH R. ADAIR
 Speaker of the House: D. M. MANNING

Members of Senate

NAME	Residence	County	Politics
Alvord, A. A.	Thompson Falls	Sanders	Democrat
Angvick, Lars	Reserve	Sheridan	Republican
*Armstrong, Bert B.	Livingston	Park	Democrat
Arnold, S. C.	Broadview	Stillwater	Republican
*Baker, Arthur A.	Glendive	Dawson	Republican
Baker, F. E.	Libby	Lincoln	Democrat
Bateman, Dr. H. W.	Choteau	Teton	Republican
Burke, Tom	Billings	Yellowstone	Republican
*Calder, Thomas	Terry	Prairie	Democrat
†Campbell, F. C.	Wh. Sulphur Spgs.	Meagher	Republican
Campbell, John L.	Missoula	Missoula	Republican
Chadwick, F. A.	Alberton	Mineral	Democrat
*Chapman, D. W.	Peerless	Daniels	Democrat
Cotter, Charles P.	Townsend	Broadwater	Republican
Dahl, Reynold C.	Great Falls	Cascade	Republican
Davis, G. G.	Forsyth	Rosebud	Democrat
*Drumheller, Dan M.	Cut Bank	Glacier	Democrat
*Ecton, Zales N.	Manhattan	Gallatin	Republican
*Foor, Arlie M.	Wolf Point	Roosevelt	Republican
Haight, Herbert H.	Suffolk	Fergus	Democrat
Hammond, W. L.	Carlyle	Wibaux	Democrat
Henderson, M. R.	Hall	Granite	Republican
*Harlen, Harry C.	Chinook	Blaine	Democrat
*Kathan, A. E.	Brady	Pondera	Democrat
Kaulbach, Dr. J.	Fort Benton	Chouteau	Republican
*Keeley, William E.	Deer Lodge	Powell	Republican
*Kroman, Charles L.	Miles City	Custer	Republican
*Lamp, F. M.	Big Timber	Sweet Grass	Republican
Lott, Mortimer J.	Twin Bridges	Madison	Republican
McQuitty, E. F.	Harlowton	Wheatland	Democrat
*Mahoney, Charles H.	Jordan	Garfield	Republican
*Mann, Harry T.	Hardin	Big Horn	Democrat
Martin, Harry T.	Stevensville	Ravalli	Democrat
Martinson, Karl L.	Whitehall	Jefferson	Democrat
*Metzger, F. C.	Rothliemay	Golden Valley	Democrat
*Montgomery, George H.	Dillon	Beaverhead	Democrat
Mulholland, M. J.	Butte	Silver Bow	Democrat
*Murphy, Thomas F.	Anaconda	Deer Lodge	Democrat
Nutt, R. S.	Sidney	Richland	Republican
Pauline, Robert	Kalispell	Flathead	Republican
*Plank, Leonard	Chester	Liberty	Democrat
*Plumer, A. J.	Hysham	Treasure	Democrat
*Robinson, Fred L.	Malta	Phillips	Republican
*Robson, Dr. A. F.	McCone City	McCone	Democrat
Ruffcorn, George	Glasgow	Valley	Democrat
*Simmons, H. A.	Red Lodge	Carbon	Republican
*Smith, Paul W.	Helena	Lewis and Clark	Republican
*Starks, Hayes	Joplin	Hill	Democrat
*Swertelle, George A.	Roundup	Musselshell	Democrat
*Tierney, W. P.	Ronan	Lake	Democrat
*Waite, W. T. (Bill)	Broadus	Powder River	Republican
Waldrop, George R.	Winnett	Petroleum	Democrat
Weinschrott, John	Plevna	Fallon	Republican
Wilson, Geo. W.	Shelby	Toole	Democrat
Wood, C. L.	Alzada	Carter	Democrat
Woods, R. Dale	Hobson	Judith Basin	Democrat

*Holdover. Elected 1936.

†To fill unexpired term of Orville Harris, deceased.

Secretary of the Senate: GEO. A. BURR.

President Pro-tem of the Senate: BERT B. ARMSTRONG.

House of Representatives

NAME	Residence	County	Politics
Acher, John W.	Zurich	Blaine	Democrat
Acton, W. S.	Lewistown	Fergus	Republican
Anderson, Erick	Regina	Phillips	Republican
Anderson, W. M.	Sand Coulee	Cascade	Democrat
Antrim, Stanley	Stevensville	Ravalli	Democrat
Armstrong, Ory J.	Kalispell	Flathead	Republican
Aronson, J. Hugo	Cut Bank	Glacier	Republican
Baker, C. E.	Lewistown	Fergus	Republican
Balgord, O. P.	Lavina	Golden Valley	Republican
Beadle, Minnie (Mrs. M. Kerr)	Butte	Silver Bow	Democrat
Beck, Martin J.	Wolf Point	McCone	Democrat
Berthot, A. G.	Bozeman	Gallatin	Democrat
Bjorneby, Emil G.	Kalispell	Flathead	Democrat
Bower, Frank A.	Tarkio	Mineral	Democrat
Brower, A. J.	Polson	Lake	Republican
Brown, Robert C.	Walkerville	Silver Bow	Democrat
Byrne, E. J.	Galata	Toole	Democrat
Cannon, Paul	Butte	Silver Bow	Democrat
Clark, L. W.	Harlowton	Wheatland	Republican
Cole, Kenneth	Winnett	Petroleum	Republican
Cole, N. A.	Terry	Prairie	Democrat
Collins, Roy D.	Fairview	Richland	Republican
Daniel, J. W.	Worland	Lincoln	Democrat
DeDobbeleer, Jasper	Glasgow	Valley	Democrat
D'Ewart, Wesley A.	Wilsall	Park	Republican
Dougherty, James N.	Elliston	Powell	Democrat
Duncan, Thomas W.	Missoula	Missoula	Democrat
Dunn, Robert J.	Bozeman	Gallatin	Republican
Ekern, H. O.	Thompson Falls	Sanders	Democrat
Emswiler, S. J.	Ekalaka	Carter	Republican
Findlater, R. P. (Bob)	Miles City	Custer	Republican
Flynn, John J.	Missoula	Missoula	Democrat
Freshman, Walter	Butte	Silver Bow	Democrat
Friedl, Paul	Glasgow	Valley	Democrat
Gebhardt, R. H.	Billings	Yellowstone	Republican
Goodwin, Phil C.	Butte	Silver Bow	Democrat
Green, Henry R.	Lindsay	Dawson	Republican
Hageman, Arthur	Jordan	Garfield	Republican
Hammond, Grant	Billings	Yellowstone	Republican
Hess, H. H.	Havre	Hill	Democrat
Holness, Melvin	Billings	Yellowstone	Republican
Horrigan, Frank W.	Phillipsburg	Granite	Republican
James, David F.	Joplin	Liberty	Democrat
Kellogg, G. C.	Conrad	Pondera	Republican
Kirscher, W. G.	Townsend	Broadwater	Democrat
Lambert, H. A.	Havre	Hill	Democrat
Laubach, Harry	Dutton	Teton	Republican
Lehrkind, Carl, Jr.	Bozeman	Gallatin	Democrat
Leuthold, J. H.	Molt	Stillwater	Republican
Liggett, J. A.	Roundup	Musselshell	Republican
Lippard, Gordon J.	Virgelle	Chouteau	Democrat
Listug, A. T.	Wolf Point	Roosevelt	Republican
Long, J. J.	Baker	Fallon	Democrat
Longenecker, H. H.	Hamilton	Ravalli	Republican
Loughran, Mike	Butte	Silver Bow	Democrat
Lowe, Ray G.	Glendive	Dawson	Republican
Lynch, Austin E.	Highwood	Chouteau	Democrat
Manning, D. M.	Hysham	Treasure	Democrat
Malee, Thomas C.	Anaconda	Deer Lodge	Democrat
Martin, Mrs. R. T.	Lewistown	Fergus	Democrat
McCarthy, Denis	Butte	Silver Bow	Democrat
McClain, M. A.	Missoula	Missoula	Democrat
McFatriddle, Arthur E.	Billings	Yellowstone	Republican
McGee, Albert	Basin	Jefferson	Democrat
McKenna, George S.	Geyser	Judith Basin	Democrat
McLeod, Archie D.	Great Falls	Cascade	Democrat
Melin, Marian A.	Livingston	Park	Democrat
Metlen, Joe	Armstead	Beaverhead	Democrat
Miles, Ben B.	McLeod	Sweet Grass	Republican
Morrison, R. E.	Helena	Lewis and Clark	Democrat
Moss, G. M.	Whitefish	Flathead	Republican
Moss, S. E. (Slim)	Miles City	Custer	Democrat
Murray, Thomas	Anaconda	Deer Lodge	Democrat
Newell, J. T.	Red Lodge	Carbon	Republican
O'Connor, G. W.	Fromberg	Carbon	Republican
Padbury, Fred H.	Helena	Lewis and Clark	Republican
Parker, Clem	Wibaux	Wibaux	Democrat
Parker, Neil C.	Bigfork	Flathead	Republican

HOUSE OF REPRESENTATIVES—(Continued)

NAME	Residence	County	Politics
Petersen, P. C.	Westby	Sheridan	Democrat
Potter, John V.	Wh. Sulphur Spgs.	Meagher	Republican
Reed, W. H.	Turner	Blaine	Republican
Rice, John E.	Lodge Grass	Big Horn	Democrat
Roehl, E. R.	Lewistown	Fergus	Republican
Ryan, Thomas	Butte	Silver Bow	Democrat
Scotfield, Charles L.	Biddle	Powder River	Republican
Siegling, Robert A.	Belt	Cascade	Democrat
Smith, Sherman W.	Helena	Lewis and Clark	Republican
Sorte, Marvin J.	Scobey	Daniels	Democrat
Spiegel, Sam.	Butte	Silver Bow	Democrat
Stafford, John D.	Great Falls	Cascade	Democrat
Stevens, Charles L.	Great Falls	Cascade	Democrat
Stewart, G. D.	Forsyth	Rosebud	Republican
Stromnes, E. J.	Great Falls	Cascade	Democrat
Sullivan, Frank K.	Butte	Silver Bow	Democrat
Tyler, R. G.	Homestead	Sheridan	Democrat
Vanderbeck, James H., Jr.	Virginia City	Madison	Democrat
Watson, Fred.	Missoula	Missoula	Republican
Wenger, Edward	Anaconda	Deer Lodge	Democrat
Williams, C. J.	Billings	Yellowstone	Republican
Wilson, Stuart P.	Boyd	Carbon	Republican
Woods, W. E.	Saco	Phillips	Republican
Zuck, John Q.	Flaxville	Roosevelt	Democrat

Chief Clerk of the House: J. P. BRENNAN.

INDEX BY DAYS

Legislative Day	Date, 1939	Page No.	Legislative Day	Date, 1939	Page No.		
1st	January	2	1	31st	February	1	164
2nd		3	3	32nd		2	177
3rd		4	11	33rd		3	192
4th		5	14	34th		4	211
5th		6	19	35th		5	238
6th		7	None	36th		6	262
7th		8	None	37th		7	271
8th		9	25	38th		8	280
9th		10	36	39th		9	294
10th		11	38	40th		10	311
11th		12	45	41st		11	329
12th		13	50	42nd		12	341
13th		14	None	43rd		13	345
14th		15	None	44th		14	371
15th		16	57	45th		15	392
16th		17	62	46th		16	416
17th		18	65	47th		17	435
18th		19	69	48th		18	461
19th		20	72	49th		19	None
20th		21	81	50th		20	474
21st		22	None	51st		21	485
22nd		23	88	52nd		22	501
23rd		24	94	53rd		23	513
24th		25	101	54th		24	525
25th		26	108	55th		25	538
26th		27	119	56th		26	None
27th		28	131	57th		27	552
28th		29	None	58th		28	579
29th		30	143	59th	March	1	599
30th		31	151	60th		2	620

SUBJECT INDEX

Should be used in connection with Title Index at page xxvii for the
House Bills and page cxxv for the Senate Bills.

	H. B.	S. B.
Abstract books		32
Abstractors	269	
Actions:		
Civil:		
Examination of adverse parties in trial of.....	116	
Who may be joined as defendants in.....		43
Joinder of parties plaintiff for cancellation of or quiet- ing title oil and gas leases.....		39
Manner of commencing		210
To quiet title to real estate, actions against unknown claimants	121	
Who may maintain	413	
Adjutant General:		
Appointment of Assistant	339	
Qualifications of	358	
Admission into Union, acceptance of Act of Congress approved Feb. 1889	76	
Advertising, deceptive and misleading, prohibited		174
Aeronauts and air passengers, safety of, building of obstructions near airports prohibited		25
Agricultural seeds		98
Agriculture, Bureau of, constitutional amendment.....	4	
Aircraft, stampeding livestock forbidden		72
Airports:		
Cities and towns, assistance by State Highway Commission		195
Establishment and maintenance	149	
Apples, grades of		103
Appointment of assistants, deputies		5
Appointment of Committees	Pages 3, 11, 15, 26, 27, 37, 43, 46, 47, 53, 57, 63, 272, 354	
Appointments by the Governor	Page 27	
Apportionment and Representation, Legislative As- sembly	187	
Appraisers, powers, compensation, duties.....		13
Appropriations:		
Bandmaster and instructor at State Prison	150	
Claims arising out of construction of the student faculty residence hall, Butte	411	
Custer Drainage District judgment	147	
Deficiency Claims:		
Arising from operation of the Montana State College	417	
District Judges Expense	416	
Elective officers and institutions	423	
Of C. B. Guinn for expenses member State Text Book Commission	418	
Department fiscal year ending June 30, 1939	424	
Department of Public Welfare	419	
Fred B. Sheriff for services rendered	415	
George Sutich, Jr.	412	
Highway Commission for advertising purposes	319	
Holling Drainage District	148	

	H. B.	S. B.
License taxes overpaid	414	
Mileage and per diem of members and incidental expenses	2, 421	
Montana Commission for Golden Gate International Exposition	322	
Montana Forest and Conservation Experiment Station	286	
Montana State Library Extension Commission	331	
Occupational Disease Commission	422	
Peter P. Lee, estate, refund of inheritance tax erroneously collected	275	
Predatory animals, for control of	247	
Refund of taxes erroneously paid into State treasury	333	
Sands estate, for monies earned but not received	271	
School of Mines resident hall	297	
State Departments	410	
State Departments, boards, bureaus, commissions, institutions	363	
State Department of Public Welfare	280, 427	
State institutions	182	
Support of Government 1939, 1940	425	
University of Montana	140	
Water Conservation Board	426	
Armory Board, Montana, creating and duties	200	198
Arrests, making		211
Arson	162	
Automobile liability fund, compulsory		182
Aviation, safety in operation of		25
Banking, license to engage in	355	
Banks:		
Inventory of property filed with Board of Equalization for decedents		68
Limitation on real estate loan	278	
Barber shops, licensing and sanitary regulations and schools		37
Beans, licensing persons buying, selling, storing	129	
Beer Act, penalty for failure of brewers to make report and pay tax		124
Blind Commission, State	138	
Board of Control, establishing, constitutional amendment	282	
Bonds:		
Issued by public bodies, validating		61
Of county officers	29	
Redemption of before maturity held by State Board of Land Commissioners	175	
Sureties on official release of, also on executors and guardians		176
Boxing and wrestling matches	387	
Bridges, levying of special tax for	235	
Building and loan associations:		
Permanent stock issue		16
Powers and duties, enlargement of		17
Capitol building bonds, refunding of	356	
Cash and bank accounts, of public officers, access to by State Examiner		76
Cemetery associations:		
Formation of and records	11	
Trustees of, limiting powers to employment of Montana labor	240	
Chattel mortgages, acknowledgment of satisfaction of	141	
Children, Society for, benefits and annuities	66	

SUBJECT INDEX

ix

	H. B.	S. B.
Child Welfare, employment of school nurses and physicians, care of children		28, Sub. 28
Chiropody, State Board of		51
Cigarettes, repeal of license tax	35	
Cities and Towns:		
Accidents on streets, report to	231	
Air ports, assistance by Montana State Highway Commission		195
Awarding contracts by cities operating under Mayor Council plan	79	
Bonds:		
Elections, qualifications of electors, election supplies		88
In revenue producing undertakings	58	21
Of, to improve marketability, approval by Attorney General		60
Charters of incorporated, proposed constitutional amendment		163
Constable fees and salaries	166	
Election general county and city committeemen		70
Elections, appointment of double election boards	84	
Electricians in	334	
Empowered to act under provisions of Municipal Corporation Bankruptcy Act		146
Fire department relief associations		57
Fire department relief associations, pension and disability funds of	26	
Fire departments:		
Compensation of members, including machinists	318	
Hours, minimum compensation	268	40
In cities and towns	404	
Service pensions	132	
Funds:		
Investment of sinking	85	
Transfer of	338	
Government, reorganization of, submission to people	204	
Minimum wages police department, first and second class	50	
Officers, terms of, constitutional amendment proposed		148
Park Commissioners, appointment, duties	27	
Payment of police reserves	67	
Playgrounds	120, Sub. 120	
Plumbers, licensing in		180
Police commission in		171
Police Department:		
Minimum wages scale	57	
Qualification of members		9
Police officers, re-instatement of	203	
Publication of minutes of meetings of		179
Public service, maintenance and financing of, revenue bonds	58, Sub. 58	21
Public works by		81
Recreational activities under supervision of State Board of Education	120, Sub. 120	
Sewer, water, connections in Commission-Manager form of government	107	
Small tracts, platting of	65	
Special improvements, over-ruling protests against	52	
Streets, changing names or numbers	118	
Supervisory powers of mayor and councilmen	259	
Taxes, collection of city by county	78	
Terms of officers extended	24	

	H. B.	S. B.
Treasurer, salary	163	
Use of county road and highway machinery upon streets of		125
Water works:		
Department	86, Sub. 86	
Reserves, employees in	267	
Plant, payments to be made by		64
Civil Service Department	63, Sub. 63	
Clerk of Supreme Court, collection of fees by		121
Coal mining:		
License fees	31	
License taxes, methods classified	219	
Coal retailers license, repealing	23	
Coal tax reductions, method of computing	22	
Colleges, establishment of Junior in high schools.....		127
Committee Appointments	Pages 3, 11, 15, 26, 27, 37, 43, 46, 47, 53, 57, 63, 272, 354	
Constitutional Amendments:		
Art. VII, Sec. 20—Board of Control	282	
Art. VIII, Sec. 12 and 29, term, office, salaries of District Judges and Justices of the Supreme Court.....		93
Art. VIII, Sec. 19—County Attorneys, qualifications and terms of office	211	
Art. VIII, Sec. 20—Qualifications and terms of office, Justices of the Peace		215
Art. IX, Sec. 8—Who entitled to vote at elections.....		196
Art. XII, Sec. 2—exemption of homesteads from taxation	100	
Art. XVI, Sec. 6—terms of office of county, township, municipal officers		148
Art. XIV, adding Section 8—charters of incorporated cities		163
Art. XVIII, Sec. 1—Bureau of Agriculture	4	
Art. XIX, Sec. 2—lotteries		204
Contempts, judgments of		95
Contractors:		
Excluding school boards and school districts from provisions of license law		140
Right to bid without securing license for, on highway and federal aid work		108
Copy Right Act	246	
Corporations:		
Benevolent societies, licensing		49
Bonds, debentures, authorizing directors to issue	192	
Electric cooperative	159	
Correspondence school, establishing state	70	
Cosmetics, prohibiting manufacture of adulterated	101	
Cosmetology, license to practice and teach and regulations of schools of	221	
Counties:		
Floating indebtedness, tax levy or funding bonds to pay same		158
Funds, investment of sinking	85	
Repayment of unused portion of premiums paid under State Fire Insurance Act	239	
County:		
Assessor, duties of	34	
Bonds:		
Elections, qualification of voters		59
Issuance of without election	202	
Limit, increasing for County High Schools.....	215	
Redemption before maturity	54	

SUBJECT INDEX

xi

	H. B.	S. B.
Commissioners:		
Duty to remove road weeks	207	
Inspection highways	187	
Liability for damages		115
Mileage and expenses of		63
Sale of unredeemed property by		85
Select tax title property to be sold annually		199
To complete agreements with U. S. for receipt of monies for county projects	346	
Validating property sales of	292	
Coroner, duties of	188	
Extension work in agriculture and home economics, appropriation of money by commissioners, appoint- ment of county agent	227	
Funds, sinking, investment	85	
Hospitals, acceptance of patients able to pay for services	123	
Liability for torts of officers	293	
Office, qualifications for		157
Officers:		
Appointment of deputies to		151
Bonds of	29	102
Chief deputy	290	
Election and term		3
Maximum number of deputies	195	
Public Administrator, continuation of services after expiration of term of office	56	
Salaries of	130	
Offices, hours open	184	
Poor, contracts for medicines and medical attendance	362	
Property, validating sales of county	292	
Rewards by Commissioners for apprehension and conviction of criminals		66
Road machinery, use in cities and towns		125
Sheriffs:		
Mileage and expense		62
Mileage and expense for delivering prisoners.....	102	
Monthly allowance for rental for living quarters.....	90	
Superintendent of Schools:		
Qualifications	264	
Salaries of	198	
Surveyors, duties	187	
Terms of office, constitutional amendment		148
Treasurer:		
Duties collection personal taxes	344	
Supervision of state examiners over	194	
Court, juvenile, proceedings	87	
Courts:		
Judges of Supreme and District, advance of salary when paid quarterly	89	
Justices of the Peace, salaries, office hours, quarters	169	
Courts of Record, may make rules		130
Criminals, rewards by County Commissioners for apprehension and conviction of		66
Curative deeds, validating		173
Custodian, State Capitol, salary, duties	242	
Dairy industry:		
Promote expansion of		109
Public policy of state	308	
Dairyman's liens	61	

	H. B.	S. B.
Dairy products:		
Creameries, butter, factories, surety bonds for	367	
Licensing milk and cream buying stations	142	
Milk and cream standards		110
Milk and cream, standards for, state consumer grades for butter, labeling and sale	306	
Stabilization of prices on, fixing standards of fair competition, duties of Commissioner of Agriculture..	317	
Damages:		
Civil actions against public officers		115
Recovery of for injuries or death	110	
Deaf and Dumb Asylum construction of building for.....	91	
Degrees issuance or award of forbidden, except		20
Divorce, residence requirements	96	
Drugs, cosmetics, foods, prohibiting manufacture and sale of adulterated or misbranded	101	
Egg dealers license	307	
Fees		107
Elections:		
Absent voters	122	
Ballot:		
For Primary		122
Form, color and contents of general		19
Manner for placing list of candidates for State Senate and House on	407	
Candidates for elective office who are elective or appointive officers, repealed	74	
Clerks, additional	10, Sub. 10	
Committeemen, county and city general		70
Corrupt practices, expense limitations of candidates..	188	
Double election boards in city	74	
Initiative and Referendum—See that title		
Judges of, appointment of additional at	10	
Political advertisements, publication of	146	
Primary laws, manner of filing petitions	391	
Qualification of electors and challenge school elections		45
Recall of public officers	104	
Registration of infirm persons	369	
Unsuccessful candidates at primary disqualified from nomination	88	
Voting, splitting ticket at Primary use of voting machines		122
Who entitled to vote at, proposed constitutional amendment		196
Electrical:		
Construction	200, Sub. 200	
Electrically driven household appliances, implied war- ranty provided	370	
Energy producers license tax	295	
Inspector, creation of office and duties	95	
Installations, licensing contractors, creation of board		194
Wires and equipment installation of	95	
Electric power lines telegraph, telephone, assessment in adjoining counties	33	
Employees, State, right to bargain with employers	139	
Employers, security for payment of salaries and wages		7
Employment:		
Discrimination:		
Against persons in certain	48	
By utilities on account of race, etc.	49	
Standards in State of Montana		190

SUBJECT INDEX

xiii

	H. B.	S. B.
Engineering:		
Professional, defining and regulating, registration, fund, appropriation	316	
Regulating practice of professional and land surveyors	312	
Equal rights in places of public accommodation	47	
Estates:		
Claims against, limitation of actions on rejected claims		188
Disposition of, to citizens of foreign countries	348	
In real property, alienation and suspending thereof	288	
Persons entitled to administer		120
Exceptions, bill of, time filed and amendments	167	
Execution:		
Carrying out of death sentence		206
Issuance of on judgments, stay of	402	
Expense accounts of officers and employees of the State	199	
Extension work in agriculture and home economics	227	
Fair labor standards	325	
Farm machinery, supply point required before sale in state permitted		101
Fees, Clerk of Supreme Court, collection of		121
Fertilizer, commercial		99
Fire Department Relief Associations—See Cities and Towns		
Fish and Game:		
Acquisition Flathead and Teton lands by U. S. for game refuges	123	
Acquisition by U. S. of lands for refuges for migratory waterfowl	106	
Agreement of Montana Commission with Park authorities	243	
Beaver:		
Protection of	309, Sub.	309
Protection of and license, tagging, etc.	236	
Classification of licenses for hunting and fishing	351	
Creating State Commission on	360	
Deer within boundaries of towns and cities	20	
Elk, open season in Lincoln County	376	
Fees and licenses, tagging kill		94, Sub. 94
Game manager	368	
Guide's license, and duties	304	
License not required for hunting, when	359	
Licenses, carrying and exhibition of	401	
Little St. Joe Game Preserve	366	
Manner of taking	205	
Penalties for taking	19	
Possession and disposal of game animals, elk and deer hides excepted		147
Salmon eggs, possession of and fish spawn	361	
South Moccasin Mountain Game Preserve	60	
Wild-life restoration projects, accepting aid of U. S.	230	
Fitzgerald, Dorothy Blanche, admission to Montana Soldiers Home	283	
Food Distributors, State Board of	164	
Foods, drugs, cosmetics, prohibiting sale of misbranded	101	
Foreclosure of mortgages		33
Forestry, Montana State Board of	127	
Fort Benton, restoration and preservation of	294	
Fort Shaw, acquiring and preservation of	294	
Funds:		
Act to transfer unappropriated to General	7	

	H. B.	S. B.
Apportionment of received from Federal Government	105	
Gambling	281	
Games, licensing	1	
Licensing and regulation of	251, Sub. 251	
Providing duties of Liquor Control Board	315	
Neglect of duty by public officers	392	
Operation, license, duty Liquor Board	327, Sub. 327	
Prohibiting trade stimulators		86
Gas and oil, exemption of earnings of judgment debtor	335	
Gas, natural:		
Distributors and transporters tax	408	
Production of, license fee for	343	
Gasoline taxes, refund of	73	
General fund, to transfer unappropriated funds to	7	
Glacier National Park, conveying mineral rights to U. S.	5	
Governor's Messages	Pages 5, 585	
Governor's Veto—(See Veto)		
Grass, conservation of	217, Sub. 217	
Herd law, cultivation requirement removed		69
Hides:		
Buyers, licensing, inspection, bill of sale form, transportation of untaged, appointment of inspectors	71, Sub. 71	
Exhibition and inspection of		84
Highway:		
Arrest by patrolmen of persons transporting livestock believed to be stolen	238	
Commission:		
Authorized to sell interest in acquired property		129
Compensation of employees of	25	
Creation, salary, bond, term of office	323	
Debentures:		
Amending and re-enacting certain sections of Initiative 41		92
Validating and approving		91
Fund, determination and distribution of	337, Sub. 337	
Patrol:		
Drivers license	341	
Examine all applicants for licenses of taxis, trucks and other vehicles, qualifications of drivers		134
Fund, transfer to General Fund		160
Number of patrolmen which may be hired, providing salaries		135
Salaries of	160	
Property, sale of by Commission		129
Highways:		
Accidents, reporting of	231	
Gross tons permits by persons operating motor trucks, tractors, trailers, on highways		187
Inspection of by County Commissioners, duties of		
County Surveyor	187	
Limiting power of Highway Commission	112	
No further construction until present roads completed	77	
Road weeds, removal by County Commissioners	207	
Sign boards and advertising upon	190	
To prevent monopoly by railroad companies in intra-state business	30	
Water running on to from private property		83
Historic sites, acquiring and caring for by State	294	
Horticulture:		
Fruits, infected or diseased, sale of		105
Pruning trees and tree surgery, license examining board, duties	324	

SUBJECT INDEX

xv

	H. B.	S. B.
Public sprayers, licensing of	328	
Regulation, infested trees, shrubs, etc.		90
Sale of nursery stock, fruit, and inspection		104
Hospital care for persons unable to pay for same	223	
Hotel keepers, defrauding	206	
Hours of labor:		
Bakeries	21	
Commercial motor vehicles or tractors		23
Drivers of commercial motor vehicles	17	
Hotels and tourist camps	233	
Hotels, restaurants, etc.	18, Sub. 18	
Laundries, etc.	13, Sub. 13	
Registered nurses	321	
Sugar refineries		183
Underground miners	55	
Income of property directed by will, etc., accumulation of	287	
Industrial Accident Board, duties under compensation act	180	
Industrial hygiene, division of Board of Health	97	
Infantile paralysis sanitarium, establishing State	249	
Infested orchards, trees, plants		90
Inheritance:		
Right of non-citizens of U. S. residing abroad	220	
Tax:		
On transfer of property where no probate necessary		67
Powers, compensation, special appraisers		13
Initiative and Referendum:		
Placing of same on ballot		19
Who may petition for	72	
Withdrawals prohibited	216	
Innkeepers, defrauding	206	
Insane persons, examination, hearing and commitment of		164
Insurance:		
Assignment or transfer of liability of policies written by rural mutual companies		152
Commission	213	
Companies:		
Exempting certain from license		38
Safety or Reserve Fund		197
Domestic life companies, loaning money and investment of funds	254	
Fraternal benefit societies, death and annuity benefits on children	66	
Group insurance policies and certificates	357	
License fee for corporations	296	
Reciprocal or inter-insurance contracts, regulating exchange of		167
Repayment of unused portions of premiums paid under State Fire Insurance Law to counties and school districts	239	
Reserve fund by mutual, hail, fire, lightning companies		197
State property fund	274	
Interest rate on debts		4
Investigation Committee Reports (See Select Committee Reports)		
Irrigated Lands, classification of	117	
Irrigation districts:		
Federal Bankruptcy Act		74
Organization of	9	
Refunding bonds, issue of		178

	H. B.	S. B.
Itinerant merchant, defining, general provisions	382	
Itinerant vendors, licensing and regulation of		208
Judges:		
Disqualification of	258	
District Court, Supreme Court, term of office, salary		93
Number in judicial districts		116
Judgments:		
By default, in what cases may be entered		15
Debtors:		
Exemption of earnings	99, 335	
Of Contempt		95
Of Death, carrying out		206
Judicial officers, cases in which a judge may be disqualified	379	
Jurisdiction, territorial, ceding to U. S.		119, Sub. 119
Jurors:		
And juries, qualifications, women eligible	161	
Drawing of	12, 330	
Jury duty, persons eligible shall pay road and poll taxes	329	
Justice courts, small claims departments		117
Justices of the Peace:		
Qualifications, term, constitutional amendment		215
Salaries, office hours, quarters	169	
Juveniles, probation officers, court procedure	87	
Labor:		
Bureau of, constitutional amendment	4	
Organizations, interference with rights of employees to join labor unions		205
Relations Board		48
Land:		
Commissioners, State Board of, redemption of bonds before maturity	175	
Report of holders of, in which State has equity	303	35
Lands:		
Acquisition by the U. S.		118
Default in payment of installments on certificates of purchase of state lands	158, Sub. 158	
State:		
Installment payments on certificates of purchase	157, Sub. 157	
Leasing of, renewal, qualifications of lessees	237	
Rappraisalment of when certificate of purchase has been issued	299	
Reinstatement of canceled certificate of purchase	156	
Terms of payment upon purchase of	381, Sub. 381	
Laundries, hours of labor in	13	
Laws, method of publication of		1
Legislative Reference Bureau		193
Legislature:		
Apportionment and representation	186	
House of Representatives, how employees selected	375, Sub. 375	
Journals of, defining duties of Secretary of State, President of Senate and Speaker of House of Representatives	394	
Officers and employees of	69	
Number of	185	
Public information showing voting on bills of members of		189
Librarians, certification of, duties of Library Extension Commission	332	
Libraries, joint county or regional	320	

SUBJECT INDEX

xvii

	H. B.	S. B.
Library, Montana Historical, building for by aid of PWA	284	
Licenses:		
Barber shops and schools		37
Beaver	237	
Cigarettes repeal	35	
Coal dealers, repealing	23	
Coal mining	31	
Exemption of certain associations from license as insurance companies		38
Fees:		
And taxes, disposition of all	6	
Insurance corporations	296	
Hide buyers		71
Milk and cream buying stations	142	
Newspapers and publications		80
Restaurants, food vendors	164	
Service rendering machines	153	
Slot machines	302	
Store	270	
Liens, dairyman's	62	
Liquor:		
Control:		
Act, State, amending	260	
Board, duties under gambling law	315	
Warehouse, minimum wages for employees	305	
Eligibility of persons to sell at retail	225	
Excise tax on all liquor sold by Liquor Control Board	210	
Hours and days of sale of beer and		87
Licensing sale at retail	144	
Licensing to sell at retail	371	
Local option on sale of	224	
Prohibiting sale of at certain hours	111	
Regulating sale of		24
Return to counties of share of profits	234	
Stores, minors prohibiting from entering		46
Literary honors, issuance of forbidden except when		20
Livestock:		
Arrest of persons believed carrying by motor vehicle stolen	238	
Inspection of		29
And removal county to county		65
Inspectors appointment of		168
Lanes for driving and travel of		150
Markets, establishment, regulation, supervision, licensing and bonding of	279	
Payment of fees for inspection of cattle		78
Taxation basis	191	
Unloading places provided by County Commissioners	168	
Lotteries, repealing Constitutional provisions prohibiting		204
Marriage:		
Between white persons and others	59, Sub. 59	
License, where obtained, duties Clerk of Court	171	
Married persons, forbidding employment of, when		79
Medical and hospital care for persons unable to pay for same	223	
Medical referee, creating office of	177	
Memorials:		
House	Index Page cxxiii	
House Joint	Index Page cxx	
Senate Joint	Index Page cl	

	H. B.	S. B.
Mescal buttons, sale of	64	
Messages of the Governor	Pages 5, 585.	
Mileage, allowed state and county officers.....	102, Sub. 102	
	103, Sub. 103	
Milk Control Board	201	
Minerals, conveyance of certain to U. S.....	4	
Mines, ventilation of coal	193	
Mining:		
Pacer operators to level debris.....		73
Security for wages by employers	3, Sub. 3	
Minor, transfer of money or personal property by delivery to parent	374, Sub. 374	
Minors, prohibiting from entering places where wines, liquors sold		45
Money, received from license fees, etc., disposition.....	6	
Montana:		
Admission to Union accepting amendment enacted by Congress	76	
Armory Board, creation and duties	200	198
Grass Conservation Commission	217	
Historical Library, PWA funds for new building.....	284	
Labor Relations Board	172	
Levy for support of	425	
Liquor Control Board, licensing of gambling houses....	251	
School for the Deaf and Blind, construction of new building for	91	
State:		
College, additional housing facilities, and providing for operation of the same	313	
Fair, sale of	155	
Forest and Conservation Experiment Station.....	253	
Hospital for the Insane, bond issue for buildings.....	273	
Liquor Control Act, amending	260	
Park Commission	80	
Tuberculosis Sanitarium	285	
Trade Commission	165	
University, charges to students for tuition, etc.		2
Mortgages:		
Foreclosure:		
Extending period of redemption	115	
Senate Sub. for H. B. 115		
Suits		33
Motor Carrier Act, definition of terms, regulation and supervision	209, Sub. 209	
Motor carriers:		
Does not apply farmers or ranchers		22
Exempting Class b from provisions of tax on gross operating revenue		202
Motor vehicles:		
Carriers in transporting passengers and property.....	406	
Dealers license tax	311	
Driving while intoxicated, corporal punishment.....		50
Drunken drivers, penalty, definition of term.....	131	
Employment of four clerks		52
Exemptions from attachment, when	257	
Foreign registration on reciprocal basis.....		139
Lettering of State owned		161
License for hauling merchandise or property, mile- meters, checking stations	352	
Limiting civil liability for personal injury or prop- erty damage to guests	134	
Operating upon highways	128, Sub. 128	

SUBJECT INDEX

xix

	H. B.	S. B.
Prison labor prohibited from making license plates for	208	
Prohibiting railroads from using in intrastate business	30	
Registration of	36, 212	
Fees to cities when	124	
Foreign		56
Regulating speed of	14, Sub. 14	
Selling used, bond when		18
Size and weight of highway		138
State owned, operation of by Montana State Prison.....		161
Time of assessment and collection of taxes upon		177
Trailers, and semi-trailers, braking system for, weighing of by police	68	
Two operators for certain trucks	68	
Musical instruments, registration of mechanical, operating fee	152	
Mustard seed, licensing and bonding buyers prior to harvest	354	
National banks, ascertaining value of shares for taxation	46	
National electrical safety code		200, Sub. 200
Natural gas pipe lines, a public utility		214
Navigable waters, franchise tax for users of	83	
Necessities, exemption of judgment debtor	335	
Newspapers and publications, license and bond for publication of		80
Noxious gases, fumes, dust in places of business.....	179	
Nurses, hours of labor for registered	321	
Occupational diseases:		
Division of Industrial Hygiene	97	
State Commission for study of	365	
Office hours, county	184	
Officers:		
And Employees:		
Expenses of	199	
State, clarifying laws and declaring policy of the State with reference thereto	310	
Appointment of assistants, deputies		5
Filing accusation against district, county township or city officers or school trustees	409	
Public, removal of		128
Salaries of deputies, clerks, etc.	277	
Old Age Assistance:		100
Amount of, requirements, application, investigation....		89
Monthly payments in fixed sum		159
Old Age Pension:	248	
Commission	301	
Emergency Act to produce revenue	298	
Establishment of Commission	276	
Revenue for payment of	300	
Oleomargarine, sale of	342	106
Opiates, mescal buttons, peyote, sale of	64	83
Optometry, regulation of	135	
Park Commissioners—See Cities and Towns		
Petroleum, tax for engaging in production of		162
Peyote, sale for Indian religious services	64	83
Pharmacy, regulation of practice of		53, Sub.. 53
Photography and practice thereof		55
Playgrounds, public, operation of	120, Sub. 120	
Plumbers, licensing in cities over 1000.....		180
Pneumonia Control Agency	218	
Police Department—See "Cities and Towns"		
Political advertisements, relating to publication of.....	146	
Prison labor, on motor vehicle plates, prohibited.....	208	

	H. B.	S. B.
Prison-made goods, production and sale of.....	398	
Probating foreign wills	75	
Probation officers, appointment and juvenile court procedure	87	
Property, validating sales made by County Commis- sioners	292	
Public accommodation, equal rights in places of	47	
Public Administrator:		
Continuation of services after expiration of term of office	56	
Reports on condition of estates		155
Public office, terms of County and others		3
Public officers:		
Access to cash by State Examiner		76
Damages in civil actions against		115
Public printing, calling for bids and letting contracts for	178	
Public utilities, annual statement required		34
Public welfare, reciprocal agreements with other states for removal of convicted criminals, feeble minded persons, etc.	222	
Public Welfare Act:		
Adding part IX, silicosis patients	372	
Amending provisions	90, 133	
Appropriations and disposition of funds	400, 405	
Public works:		
Authority of political subdivisions		81
Contractors bond	53, Sub. 53	
Radio broadcasting stations, freedom of speech over		156
Railroads, assessment of by State Board of Equalization	37	
Railroad Unemployment Insurance Account, transfer to of Unemployment Compensation Trust Fund	256	
Real Estate:		
Conveyance of, validation of sales, curative deeds.....		173
Mortgaging, deeding, who must join	388	
Recall of public officers	104	
Redemption of real property from tax sale		12
Relief employment, continuation of emergency provi- sions regarding	226	
Reports of:		
Employment Committee	Pages 12, 14, 17, 19, 24, 38, 39, 40, 46, 48, 54, 56, 58, 61, 63, 66, 67, 74, 142, 148, 634	
Mileage and Per Diem	Page 16	
Occupational Diseases	Page 27	
Pardons, Commutations, etc.	Page 19	
Resolutions:		
House	Index Page cxxiv	
House Joint	Index Page cxxiii	
Senate Joint	Index Page clii	
On Death of Former Members	Page 53	
On Rogers Pass Road	Page 146	
On Death of R. H. Friedl, Father of Hon. Paul Friedl	Page 154	
On Death of Father of Hon. H. H. Longenecker	Page 198	
On Death of Brother of Hon. Ralph Gebhardt	Page 509	
Resources of the State, preservation of historical, archae- ological and scientific resources; science commission....	395	
Revenue, raising for emergency purposes	298	

SUBJECT INDEX

xxi

	H. B.	S. B.
Right of way, horseback riders, teams, livestock shall have		191
Road districts, special, abolishment of	51, Sub. 51	
Rules.....	Pages 2, 13, 18, 44, 45, 64, 65, 168, 176	
Rulings of the Speaker	Page 409	
Rural improvement districts, assessment and apportionment of costs	174	
Safe deposit vaults, leasing of to joint tenants		186
Salaries, Deputy State officers, clerks, etc.	277	
Salary advancement for officers paid quarterly	89	
School:		
Busses:		
Qualifications and duties of drivers of, equipment....	255	
Qualifications of drivers		47
School- or private-owned painting of, fire extinguishers for	113	
County high, increasing bond limit of fifth class counties	215	
Districts:		
Abandonment of		6
Bonds issued by		75
Budgets for elementary schools		154
Excluded from provisions of public contractor's license law		140
Merger with adjacent district		114
Power to pay transportation		31
Recreational activities under supervision of Board of Education	120	
Repayment of unused portion of premiums paid under State Fire Insurance Act	239	
Elections, qualification of electors, challenge		45
State public school general fund	291, 385	
Transfer of Public School General Fund to State Common School Equalization Fund	385	
Schools:		
Attendance at elementary and high of pupils residing outside district and counties		31, Sub. 31
Budgets of High	252, Sub. 252	153
County Superintendent of, clerks and deputies and salaries	92	
District and County High, budget of	136	
Field specialist in special education for exceptional children	262	
High:		
Attendance outside county of residence	137	
Budgets	252	
Establishment of by school districts		132
Vocational centers		136
Joint districts, formation of	241	
Nurses, physicians, care of children		28
Purchase of lands for buildings without vote of electors	214	
Release of pupils from public to attend religious education classes		137
Rooms for adult classes	420	
Rural districts, repeal	326	
Sale of abandoned property by trustees of	272	
Specialist in field of health for children of.....	265	
State Correspondence	70	
Tax levy for support of	364	
Teachers:		
Certificates, qualifications	261	
Employment of, and other persons, contracts	244	

	H. B.	S. B.
Retirement:		
Amending	151	
System for	393, Sub. 393	
Text books, relating to	245	
Transportation:		
Board, rent, tuition	176	
Powers of boards	377, Sub. 377	
Trustees:		
Organization of	227	
Power over property	209	
Qualifications of		192
Secretary of State:		
Compensation of Deputy	232	
Duties of	30, 71	
Security for wages and salaries by employers	3	
Select Committee Reports:		
Attorney General	Pages 570, 587, 588, 599, 620, 623, 624	
Department of Public Welfare	Page 592	
Fish and Game Department	Pages 605, 624	
Liquor Control Board	Pages 594, 607, 630	
Livestock Sanitary Board	Page 598	
Milk Control Board	Page 596	
Public Service Commission	Page 597	
State Banking Department	Pages 595, 596	
State Officers, Offices, Boards, etc.	Page 570	
State University	Pages 597, 630	
Sentence, suspended, copy of judgment and court orders sent where	82	
Service rendering machines, registration and fee	153	
Sheriffs—See County		
Sign boards along highways	190	
Silicosis patients, adding Part IX	372	
Slot machines:		
Licensing	302, 353, Sub. 353	
Small loans, supervision of State Banking Department, maximum rate of interest		207
Soil conservation districts	126	
Soldiers, sailors, nurses, burial of deceased veterans.....	114	
Special Investigating Committees (See also Select Committees)	Pages 39, 40, 41, 80, 139, 570, 587, 588, 592, 594, 595, 596, 597, 598, 599, 605, 607, 620, 623, 624, 630	
Sprayers, public, licensing	328	
State:		
Board:		
Beauty Culture	221	
Equalization:		
Agreements with U. S. for benefits of projects and to receive monies from Government.....	345	
Appeals to	45	
Appeals to and additional remedy by appeal to district court	386	
Health:		
Duties with respect to noxious gases, dust, in business places	179	
Endowing Pneumonia Control Agency	218	
Employees, right to bargain collectively with employers	139	
Examiner:		
Employment of assistants, deputies and clerks.....		77
Supervision over County Treasurer	194	

SUBJECT INDEX

xxiii

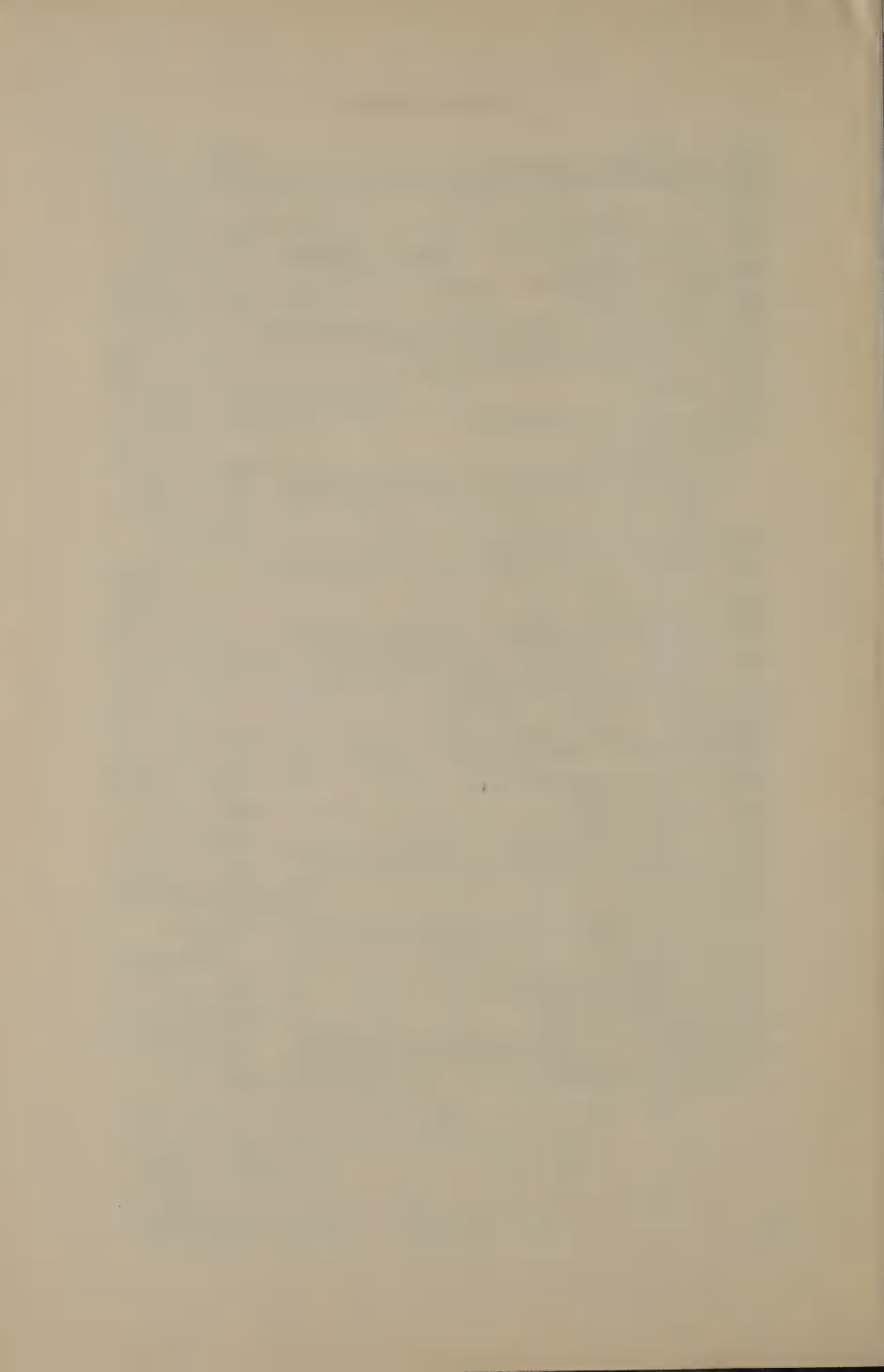
	H. B.	S. B.
Government re-organization, commission for study and report of	378	
Hospital for the Insane, bond issue for new buildings..	273	
Insurance Commission	213	
Lands: (See also "Lands").		
Easements for right of ways, duties Commissioner of State Lands and Investments and Board of Land Commissioners		42
Method of leasing for grazing purposes		216
Law Librarian, qualifications, appointment and duties	145	
Normal College, Dillon, purchase of additional lands for campus purposes	349	
Park Commission, creating	80	
Purchasing Office, duties	250	
Tuberculosis Sanitarium, admission of patients to	181	
Statutes, method of publication of		1
Stores:		
Classifying and licensing	380	
License	270	
License and classification of (Chain Store)	350	
Students, charges by Montana University		2
Sugar refineries, hours of labor in		183
Summons:		
How issued		112
How served		145
Superintendent of Public Instruction:		
Election, qualification, oath, bond	263	
Relating to official staff of, adding music supervisor	266	
Supreme Court, duties of Marshal and Attendant, appointment of librarian	145	
Surveyors, land, regulating practice of	312	
Tax:		
Hospital treatment for persons unable to pay for same	223	
Levy for schools	364	
License telephone companies	395	
Moratorium		12
Personal property, collection of, duties of assessor.....	34	
Taxation:		
Agricultural products and livestock	191	
Air ports, tax levy for establishing and maintaining	149	
Classification:		
Basis for		141
Improved lands		41
Of property for	229	169
Deductions in ascertaining value national bank shares	46	
Definition of terms	42	
Determination of percentage basis and taxable value of property	43	
Income:		
Defining	44	
Levy upon and safe of property for payment of.....	42	
Limiting on real and personal property, for county, school and city purposes		97
Method of computing deductions in production of coal	22	
National bank shares, assessment for	46	
Payment of delinquent personal taxes	62	
Petroleum, natural gas, mines, royalty interests.....	347	
Railroads, assessment by Board of Equalization.....	37	
Royalty interests and net proceeds of mines.....	32	

	H. B.	S. B.
Telegraph, telephone, electric lines	33	
Users of navigable waters	83	
Tax deeds:		
Validating and legalizing	289	
Validating prior		142
Taxes:		
Assessment and sale of real estate for		143
Basis for imposition of	383	
Collection:		
If City, by County Treasurer	78	
On personal property, duties County Treasurer	344	
Gasoline, refund of	73	
Limitation of yearly increase for county, city, school		96
Recovery of illegal paid county		126
Refund of when illegally collected	143	
Sale of unredeemed property by County Commissioners		85
Tax Sale:		
Notice of publication of	196	
Publication of notice of delinquent	40	
Redemption from:	39	
Assignment of rights of county in property		
acquired at	38	
Of real property	108	12
Treasurer to enter in a book description of land sold		172
Tax title property, sale annually by County Commis-		
sioners		199
Taylor Grazing Act, apportionment of funds received		
from Federal Government	103, 105	36
Telephone companies, license tax upon	397	
Telephone, telegraph, electric power lines, assessment		
of in adjoining counties	33	
Term of existence, Water Users		
Associations	Chapter 185, page 9	
Territorial jurisdiction, ceding to U. S.		119, Sub. 119
Textbooks, contracts for supplying	390	
Title to real estate, actions to quiet	121	
Township:		
Officers, election and term		3
Organization of new	384	
Tree surgery, license, examining board, duties	324	
Trial:		
By Court:		
Findings of fact:		
And conclusions of law, reversals had when	403	
When reversals may be had, exceptions		166
Examination of adverse parties in civil actions	116	
New, motion for, regulating proceedings on motion for	373	
Pre-trial procedure		10
Trustees, recording of instruments showing powers of	109	
Tuberculosis Sanitarium:		
Admission of patients to	181	
Montana State, construction of additional buildings		
and additions, bonds	125	
Unemployment Compensation Law		58
Unfair Practice Enforcement Fund	165	
Uniform state laws, temporary commission for study of	340	
Unions, soliciting of state officers or employees to join		44
University of Montana:		
Business manager for		113
Referendum to people for additional levy for		
support of	183	
Utility, public, prohibiting from impounding streams		
during irrigation season		185

SUBJECT INDEX

xxv

	H. B.	S. B.
Vacations with pay for workers	173	
Vending machines, registration of automatic	153, 154	
Veterans:		
Burial of deceased soldiers, sailors	114	
Memorial Fund Commission	314	
Veto by the Governor	Pages 481, 529, 530	
Wage and hour standards:	28	
Elimination of detrimental to health		54
Wage brokers, defining	336	
Wages and salaries, security to employers for.....		7
War defense loans, defaulted, cancellation of record.....		165
Warehouseman Receipts Act, suits, costs		133
Warrants, peace officers, to whom directed, how executed		111
Water:		
Appropriation and abandonment		8
Commissioners:		
Appointment of	93	
Measuring and distribution of stored and supple- mental waters acquired by State Water Conser- vation Board		149
Conservation Board, appointment of members of	399	
Diversion of from one watershed to another prohibited		212
Impounding of irrigating water in rivers or streams by public utilities		185
Rights, cooperation with State of Wyoming		175
Running on highway or private property of another....		82
Wells, drilling of, Board of Health regulations.....	389	
Waters of State, investigation of, by State Water Con- servation Board and State Engineer		144
Water Works Department, Cities and Towns.....	86	
Weeds, noxious		201
Weights and measures, State Sealer and duties of.....	197	
Welfare of workers, elimination of wage and hour standards		54
Wildlife restoration projects, assenting to acts of U. S. in aid of states	230	
Wills, probating foreign	75	
Workers, vacations with pay for	173	
Workmen, protection of, compensation for injuries, lia- bility of employers, duties Industrial Accident Board....	180	
Workmen's compensation	8, 15, Sub. 15	181, 182 11
Amending		
Coal mining, employer and employee bound without right of exemption	119	
Defining wages		131, Sub. 131
"Major Dependent" under act		203
Medical and hospital services	81	
Stay in period of limitations		14
Workmen's Compensation Act		184, 213 170
Provisions elective or optional with public corporations		
Yellowstone Park, repealing Act 1891 ceding jurisdiction of lands, Sec. 23, 1935	170, Sub. 170	



INDEX TO HOUSE BILLS

Bold face figures refer to roll calls: thus, 341.

No.	Title of Bill	Page
1	Introduced by Siegling: A Bill for an Act entitled: "An Act relating to gambling games and gambling devices; providing for the operation thereof under license; providing for certain license fees and the use of the money obtained therefrom; prohibiting minors from playing and loitering about such games; designating the penalties for violations of the provisions thereof; and other matters properly relating thereto."	13, 420.
2	Introduced by the Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money for the payment of mileage and per diem to the members of the Twenty-sixth Legislative Assembly and for the payment of per diem to the officers and attaches and for incidental expenses of the Twenty-sixth Legislative Assembly of the State of Montana."	13, 14, 15, 18, 25.
3	Introduced by Brown and McCarthy: A Bill for an Act entitled: "An Act providing for the greater security for the payment of salaries and wages by employers engaged in the business of extracting, or extracting and refining or reducing metals and minerals or mining for coal or drilling for oil, except such employers who have a free and unencumbered title to not less than one-half interest in the fee of the property being worked."	24, 97.
Sub. 3	Introduced by Committee on Mines and Mining: "An Act providing for the greater security for the payment of salaries and wages by employers engaged in the business of extracting, or extracting and refining or reducing metals and minerals or mining for coal or drilling for oil, except such employers who have a free and unencumbered title to not less than one-half ($\frac{1}{2}$) interest in the fee of the property being worked, and providing for the filing of statements by persons, firms, partnerships or corporations, with the commissioner of labor, and providing a penalty for the violations of failure to file said statement."	97, 119, 141, 145, 290, 293, 294, 298, 347, 348, 404, 502.
4	Introduced by Ryan and Cannon: A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section One (1) of Article Eighteen (18) of the Constitution of the State of Montana, relat-	

No.	Title of Bill	Page
	ing to the Bureau of Agriculture and/or Bureau of Labor and Industry."	36, 47, 79, 206, 271, 284, 302, 312, 313, 586.
5	Introduced by Bjorneby: A Bill for an Act entitled: "An Act providing for the release, relinquishment and conveyance to the United States of America of all the right, title and interest of the State of Montana in and to the minerals now known or hereafter found to exist in the north-east quarter (NE¼) of section thirty-six (36), township thirty-four (34) north, range twenty (20) west, Montana principal meridian."	37, 44, 47, 55, 58, 62, 101, 108, 148.
6	Introduced by Committee on Appropriations: A Bill for an Act entitled: "An Act to provide for the disposition of all money received from income tax, corporation license tax, electric energy producers' license tax, metalliferous mines license tax, telegraph license tax, oil producers' license tax, natural gas distributors' license tax, store license tax, public contractors' license tax, cigarette dealers' license tax, telephone license tax, movie theater license tax, liquor license tax, inheritance tax, Montana beer act and profits from state liquor control act of Montana: Amending Sections 2343.3 as amended by Chapter 83, laws of 1937, 2344.12, 2399, 2815.50, Revised Codes of Montana, 1935; and repealing Section 11, Subsection 1, of Chapter 87, laws of 1937, 2295.28, 2303.12, 2355.9, 2408.9, 2433.8, 2435.4, 2815.157 and 10400.49, Revised Codes of 1935; and Section 9, Chapter 94, laws of 1937; Section 7, Chapter 91, laws of 1937; Section 29, Chapter 84, laws of 1937; Section 7, Chapter 201, laws of 1937; and Section 11, Chapter 199, laws of 1937."	42, 49, 57, 68, 72, 110, 160, 176, 185, 190, 323.
7	Introduced by the Appropriation Committee: A bill for an Act entitled: "An Act to transfer certain unappropriated funds to the general fund of the State of Montana."	42, 49, 57, 68, 71, 72, 121, 135, 148.
8	Introduced by Spiegel and McClain: A Bill for an Act entitled: "An Act to amend Sections 2816, 2841, 2843, 2898, 2911 and 2981 of the Revised Codes of Montana of 1935, and to repeal Sections 2978, 2979, 2980, 2982, 2983, 2984, 2985, 2986, 2987, 2988 and 2989 of the Revised Codes of Montana of 1935; all relating to workmen's compensation; and to repeal all Acts and parts of	

No.	Title of Bill	Page
	Acts in conflict herewith, with certain reservations."	42, 74, 95, 100.
9	Introduced by McClain, Flynn and Watson: A bill for an Act entitled: "An Act to amend Section 7264.2 of the Revised Codes of Montana of 1935 relating to the organization of irrigation districts by owners of water rights, having a common source of supply and a single intake from such common source of supply, for the purposes of operation and administration of said system without the necessity of the acquisition by such irrigation district of the existing water rights, system or works owned by the respective water right owners within the district, and conferring on such districts the powers, duties and status of public corporations organized under the irrigation district law of the State of Montana."	42, 64, 71, 74, 87, 89, 93, 208.
10	Introduced by Petersen and Tyler: A Bill for an Act entitled: "An Act permitting boards of county commissioners to provide at their option additional judges and clerks of election for the purpose of counting and tabulating votes and defining the duties and powers of the judges and clerks in each precinct containing one hundred and fifty or more registered voters, provided said precincts do not use voting machines and providing for the penalty for the violation of the provisions of this Act."	42, 320.
Sub. 10	Introduced by Committee on Privileges and Elections: A Bill for an Act entitled: "An Act permitting Boards of County Commissioners to provide at their option additional judges and clerks of election for the purpose of counting and tabulating votes and defining the duties and powers of the judges and clerks in each precinct containing one hundred and fifty or more registered voters, provided said precincts do not use voting machines."	320, 337, 343, 346, 375, 407, 553.
11	Introduced by R. G. Lowe: A Bill for an Act entitled: "An Act amending Sections 6479, 6484, 6489, 6490, 6491, 6494, 6495, 6499, 6500, 6502, 6592, of the Revised Codes of Montana for 1935, relating to the formation of cemetery associations, providing for the keeping of records in connection therewith, the upkeep of such cemetery, and providing a means for the creation of a fund out of which permanent care for lots within the cemetery may be had, and for the selection of a trustee or board of trustees for the handling of such funds."	43, 64, 70, 77, 89, 93, 512, 516, 522, 536, 537.
12	Introduced by Padbury: A Bill for an Act entitled: "An Act to amend Sections 8903, 8904, 9334, 9335,	

No.	Title of Bill	Page
	and 9341 of the Revised Codes of Montana, 1935, as amended by Chapter 151, laws of the Twenty-fifth Legislative Assembly, relating to the drawing capsules from the trial juror boxes and providing that the district judge shall draw such capsules."	45, 67, 85, 95, 100, 108, 112, 163, 183, 278.
13	Introduced by Sullivan and McCarthy: A Bill for an Act entitled: "An Act prescribing the hours of labor for persons employed in and about laundries and dry cleaning establishments; providing exemptions therefrom; and providing penalties for a violation thereof and repealing all acts in conflict herewith."	47, 162.
Sub. 13	A Bill for an Act entitled: "An Act prescribing the hours of labor for persons employed and/or working in and about commercial laundries and dry cleaning establishments; providing exemptions therefrom; providing penalties for a violation thereof and repealing all Acts and parts of Acts in conflict herewith."	162, 185, 210, 220, 258, 418.
14	Introduced by Anderson of Phillips: A Bill for an Act entitled: "An Act regulating the speed of motor vehicles on the highways of the State of Montana, fixing the exceptions thereto and defining night-time and day-time for the purposes of this act."	48, 64, 65, 71, 72, 167.
Sub. 14	"An Act regulating the speed of motor vehicles on the highways of the State of Montana and fixing exceptions thereto for the purposes of this act."	167, 185, 210, 212, 279, 280, 293, 301, 330, 352, 561, 568, 577, 581, 592, 621, 629, 630, 631, 635, 636.
15	Introduced by McCarthy: A Bill for an Act entitled: "An Act to amend Section 2952 of the Revised Codes of Montana of 1935, as amended by Chapter 67 of the Session Laws of 1937 relating to workmen's compensation; and to repeal all acts and parts of acts in conflict herewith."	48, 277.
Sub. 15	A Bill for an Act entitled: "An Act to amend Section 2952 of the Revised Codes of Montana of 1935, as amended by Chapter 67 of the Session Laws of 1937 relating to Workmen's Compensation; and to repeal all Acts and parts of Acts in conflict herewith."	277, 285, 309, 327, 334, 354, 553.

No.	Title of Bill	Page
16	Introduced by Hess and Brown: A Bill for an Act entitled: "An Act to amend Section 3043.1 of the Revised Codes of Montana, 1935, relating to the wage scale paid Montana labor in public works."	48, 54, 57, 67, 162.
17	Introduced by Brown: A Bill for an Act entitled: "An Act prescribing the hours of service for persons operating or driving commercial motor vehicles, or tractors, upon the public streets or highways of the State of Montana; providing exemptions therefrom; providing penalties for a violation thereof, and repealing all acts and parts of acts in conflict herewith."	48, 79, 95, 97, 105, 110, 279.
18	Introduced by Stevens: A Bill for an Act entitled: "An Act prescribing the hours of labor for persons employed in or about hotels, restaurants, and cafes; providing exemptions therefrom; and providing penalties for a violation thereof and repealing all acts in conflict herewith."	48, 147, 176.
Sub. 18	A Bill for an Act entitled: "An Act prescribing the hours of labor for persons employed in or about restaurants, cafes, lunch counters and other commercial eating establishments; providing exemptions therefrom; providing penalties for a violation thereof and repealing all Acts and parts of Acts in conflict herewith."	147, 176, 210, 220, 258, 475, 477, 478, 532, 551, 552.
19	Introduced by Armstrong, Parker and Moss of Flathead: A Bill for an Act entitled: "An Act to amend Section 3694.1 of the Revised Codes of Montana for 1935, relating to the penalties for the taking of fish and game contrary to law and providing a special penalty for shooting or attempting to shoot game animals with the use of any set gun, jack light, or other artificial light."	54, 424.
20	Introduced by Armstrong, Parker and Moss of Flathead: A Bill for an Act entitled: "An Act to amend Section 3697.1 of the Revised Codes of Montana of 1935, relating to the taking of deer within the boundaries of cities or towns and providing penalties for the unlawful taking of deer."	54, 85, 95, 108, 119, 130, 179.
21	Introduced by Ryan: A Bill for an Act entitled: "An Act prescribing the hours of labor for persons employed in or about bakeries; providing for exemptions therefrom; and providing penalties for a violation thereof and repealing all acts in conflict herewith."	54, 79, 95, 100, 102, 104, 193.

No.	Title of Bill	Page
22	Introduced by Liggett, Anderson of Cascade, Balgord, Dunn, McFatrige, Moss of Custer, Newell, O'Connor, Watson and Wilson: A Bill for an Act entitled: "An Act providing the method of computing certain deductions allowable on mine taxes in the mining, production, preparation and marketing of coal in Montana."	54, 434.
23	Introduced by Liggett, Anderson of Cascade, Balgord, Dunn, McFardige, Moss of Custer, Newell, O'Connor, Watson and Wilson: A Bill for an Act entitled: "An Act to repeal Sections 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325 and 2326 of the Revised Codes of Montana of 1935, relating to coal retailers' licenses taxes."	55, 147, 165, 184, 185, 303, 323, 334, 349, 431, 434.
24	Introduced by Lambert and Hess: A Bill for an Act entitled: "An Act to amend Section 5003, Revised Codes of Montana of 1935, relating to the election and term of office of officers of cities and towns operating under the mayor-council plan of municipal government, so as to make such terms of office four years instead of two years.".....	56, 84, 95, 108, 163, 385.
25	Introduced by Ekern and Sullivan: A Bill for an Act entitled: "An Act to amend Section 1789, Revised Codes of Montana, 1935, relating to the employment and compensation of the employees of the State Highway Commission."	59, 79, 162.
26	Introduced by Goodwin and McGee: A Bill for an Act entitled: "An Act to amend Sections 5118 and 5119, of the Revised Codes of Montana, 1935, relating to disability and pension funds of fire department relief associations and the tax levy for maintaining same."	59, 71, 84, 95, 100, 102, 105, 188, 210, 211, 233, 252, 265, 267, 269, 270, 338, 342, 360, 502.
27	Introduced by Williams of Yellowstone: A Bill for an Act entitled: "An Act to amend Section 5161, Revised Codes of Montana of 1935, providing for park commissioners—appointment and organization—records and reports."	59, 84, 95, 100, 108, 113, 188, 210, 230, 307, 312, 315, 328, 329, 459.
28	Introduced by Committee on Labor: A Bill for an Act entitled: "An Act to provide for the general welfare and protect the health, efficiency, and well-being of workers in the State of Montana by providing for the elimination of wage and hour standards detrimental to the health, efficiency,	

No.	Title of Bill	Page
	and general well-being of workers; to prescribe the minimum wage and maximum hours standards and to provide for the further determination and establishment of minimum wages by industry; to provide for the enforcement of such provisions and to prescribe the powers and duties of the director of the labor department under this act; to prescribe penalties for violations of this act or of orders or regulations of the director of the labor department authorized hereunder and to repeal: Sections 3068, 3069, 3069.1, 3069.2, 3069.3, 3070, 3071, 3072, 3073, 3073.1, 3073.2, 3073.3, 3074, 3075, 3076, 3079, 3080, 3083.1, 3083.2, 3083.3, 3083.4, 3083.5 of the Revised Codes of Montana, 1935."	59, 91, 161.
Sub. 28	Introduced by Committee on Labor: A Bill for an Act entitled: "An Act to provide for the General Welfare and protect the health, efficiency and well being of workers in the State of Montana by providing for the elimination of wage and hour standards detrimental to the health, efficiency, and general well being of workers; to prescribe the minimum wage and maximum hours standards and to provide for the further determination and establishment of minimum wages by industry; to provide for the enforcement of such provisions and to prescribe the powers and duties of the director of the Labor Department under this Act; to prescribe penalties for violations of this Act or of orders or regulations of the director of the Labor Department authorized hereunder and to repeal all Acts and parts of Acts in conflict herewith."	161.
29	Introduced by Balgord: A Bill for an Act entitled: "An Act to amend Section 466 of the Revised Codes of Montana, 1935, relating to the bonds of county officers."	59, 84, 95, 108, 118, 119, 130, 307, 339, 472, 486, 487, 565.
30	Introduced by Lippard and Lynch: A Bill for an Act entitled: "An Act to amend Section 134 of the Revised Codes of Montana, 1935, relating to the duties of the Secretary of State."	59, 79.
31	Introduced by Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Section 2317 and Section 2323, Revised Codes of Montana of 1935, relating to licensing persons engaged in the business of coal mining, fixing the fees therefor, and providing for enforcement thereof."	59, 356, 400, 405, 421, 422, 537, 563, 566, 589.
32	Introduced by Revenue and Taxation: A Bill for an Act entitled: "An Act to repeal Section 2090.2	

No.	Title of Bill	Page
	and Section 2096.1 and Section 2096.2, Revised Codes of Montana of 1935, relating to the assessment and taxation of royalty interests and net proceeds of mines."	59, 109, 125, 141, 143, 146, 164.
33	Introduced by Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Sections 2138, 2139, 2141, 2142, 2143, 2144, and 2146, and to repeal Section 2140 of the Revised Codes of Montana, 1935, relating to assessment of telegraph, telephone, and electric power lines, and other properties continuing throughout more than one county in the State of Montana, by the State Board of Equalization."	60, 97, 115, 128, 137, 141, 188, 210, 263, 383.
34	Introduced by Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Section 2238, Revised Codes of Montana, of 1935, relating to the duty of the Assessor to report certain personal property tax assessments."	60, 91, 102, 115, 123, 179, 197, 281.
35	Introduced by Revenue and Taxation: A Bill for an Act entitled: "An Act to repeal Sections 2435.1, 2435.2, 2435.3, and 2435.4 of the Revised Codes of Montana of 1935, relating to the imposition of a license tax upon dealers in cigarettes.".....	60, 90, 95, 105, 108, 113, 163, 183, 278.
36	Introduced by Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Section 1760 of the Revised Codes of Montana, 1935, as amended by Chapter 138 of the Laws of Montana, enacted by the Twenty-fifth Session, 1937, relating to registration of motor vehicles, fees, disposal of proceeds, fee for half year, dealers' registration and transfer thereof, and exempting public owned vehicles; and providing fees for tractors, defining same, and fees for trailers and semi-trailers.".....	60, 132, 165, 176, 184, 196, 220, 440, 512, 583, 584.
37	Introduced by Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Sections 2132, 2133 and 2136, and to repeal Sections 2135 and 2137 of the Revised Codes of Montana, 1935, relating to the assessment of railroads by the State Board of Equalization."	60, 97, 108, 128, 137, 140, 188, 230, 307.
38	Introduced by Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Section 2207 of the Revised Codes of Montana, 1935, as amended by Chapter 101, laws of 1937, relating to	

No.	Title of Bill	Page
	assignments of rights of counties acquired at sales of real property for delinquent taxes, and the form of certificate of assignment."	60, 109, 125, 141, 145, 157, 290, 296, 297, 407.
39	Introduced by Revenue and Taxation: A Bill for an Act entitled: "An Act amending Section 2210 of the Revised Codes of Montana, 1935, relating to redemption from tax sales."	60, 91, 102, 115, 123, 290, 296, 297, 407.
40	Introduced by Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Section 2182 of the Revised Codes of Montana, 1935, relating to publication of notice of delinquent tax sales."	60, 91, 102, 115, 123, 290, 296, 297, 407.
41	Introduced by Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Section 2295.26 of the Revised Codes of Montana, 1935, relating to the levy upon and sale of property for the payment of income tax and the lien of such tax upon such property and upon salaries."	60, 97, 115, 124, 263, 267, 278, 283, 337.
42	Introduced by Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Section 1996 of the Revised Codes of Montana, 1935, relating to the definition of terms employed in the code in dealing with the subject of taxation."	60, 319, 337, 343, 364, 377, 384, 394, 512, 536, 537.
43	Introduced by Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Section 2001.1 of the Revised Codes of Montana, 1935, relating to the determination of the percentage basis and taxable value of the various classes of property for taxation by the assessors of the State of Montana and to repeal Section 2001.4 of the Revised Codes of Montana, 1935, relating to the application of percentage basis and the duty of the county clerk and recorder with respect thereto."	61, 286, 309, 339, 342, 364, 384, 395, 512, 536, 537.
44	Introduced by Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Section 2295.7 of the Revised Codes of Montana, 1935, as amended by Chapter 28 of the laws of the Twenty-fifth Session of 1937, relating to income tax and defining gross income and what is included therein."	61, 91, 102, 115, 124, 179, 197, 281.

No.	Title of Bill	Page
45	Introduced by Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Section 2122.9 of the Revised Codes of Montana, 1935, relating to appeals to the State Board of Equalization: Providing for hearings thereon and reference thereof and authorizing the employment of a reporter for such hearings."	61, 91, 102, 115, 129, 290, 320, 321, 459.
46	Introduced by Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Section 2000.4 of the Revised Codes of Montana, 1935, relating to deductions in ascertaining the value of shares of national bank for taxation."	61, 147, 170, 191, 193, 307, 320, 459.
47	Introduced by Archie McLeod, (by Request): A Bill for an Act entitled: "An Act relating to equal rights in places of public accommodation, resort or amusement and fixing the penalty for violation thereof."	61, 74, 75, 89, 100.
48	Introduced by McLeod (by Request): A Bill for an Act entitled: "An Act relating to discriminations against a person or class in cases of employment, privileges, and admission prices, and fixing the penalty for violation thereof."	61, 75, 89, 100.
49	Introduced by McLeod (by Request): A Bill for an Act entitled: "An Act relating to discrimination by utility companies, on account of race, color, or religion, in the employment of persons in the operation or maintenance of a public service and providing the penalty for violation thereof."	61, 75, 95, 100.
50	Introduced by Lambert: A Bill for an Act entitled: "An Act to amend Section 5106.16, Revised Codes of Montana, 1935, relating to minimum wage to be paid members of the police department of cities of the first and second classes of the State of Montana, and those other cities and towns which have now elected or shall hereafter elect to come under the provisions of Sections 5108.1 to 5108.14, inclusive, Revised Codes of Montana of 1935."	61, 79, 379.
51	A Bill for an Act entitled: "An Act relating to the abolishment of special road districts and repealing sections 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, and 1674.1 and 1675 of the Revised Codes of Montana, 1935, and providing for the liquidation of outstanding obligations against said districts."	168.
Sub. 51	"An Act relating to the abolishment of special road districts, and repealing Sections 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663,	

No.	Title of Bill	Page
	1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1674.1, and 1675 of the Revised Codes of Montana 1935, and repealing all acts in conflict."	168, 185, 198, 211, 218, 307, 320, 321, 459.
52	Introduced by Berthot, Dunn and Lehrkind: A Bill for an Act entitled: "An Act to amend Section 5229, Revised Codes of Montana, 1935, relating to protests against special improvements in cities and towns, so as to empower the city or town council, commission or other governing body, to overrule all protests where the proposed improvement is for not more than one block of pavement and incidentals to connect with streets or avenues already paved for three blocks or more; providing that in case the improvement proposed is the construction of a sanitary sewer, no protest shall be effective unless made by owners of more than seventy-five per cent of the property affected, and providing for the withdrawal of protests."	84, 95, 100, 108, 114, 188, 210, 230, 307, 312, 316, 328, 329, 459.
53	A Bill for an Act entitled: "An Act to amend Chapter twenty (20) of the laws of the Twenty-second Legislative Assembly of the State of Montana, requiring that any board, council, commission, trustee or body acting for the State or any county or municipality or any public body, who shall contract with any person or corporation to do any work for the State, county, municipality or other public body, to require a good and sufficient bond, therefor, and providing the terms, conditions and provisions of said bond, and prescribing the liability of the State or any county or municipality or public body for failure to take such bond and repealing all acts or parts of acts in conflict herewith."	230.
Sub. 53	A Bill for an Act entitled: "An Act to amend Section 5668.41, Section 5668.42, Section 5668.43, and Section 5668.44 of the Revised Codes of the State of Montana for 1935, requiring that any board, council, commission trustee or body acting for the State or any County or Municipality or any public body, who shall contract with any person or corporation to do any work for the State, County, Municipality or other public body, to require a good and sufficient bond therefor, and providing the terms, conditions and provisions of said bond, and prescribing the liability of the State or any County or Municipality or public body for failure to take such bond, and repealing all Acts or parts of Acts in conflict herewith."	231, 285, 309, 312, 322, 561, 568, 577, 581, 603, 604, 619, 628, 629.

No.	Title of Bill	Page
54	Introduced by Byrne: A Bill for an Act entitled: "An Act to amend Sections 4630.29 and 4630.30 Revised Codes of Montana, 1935, relating to county bonds, the redemption thereof before maturity, and investment of county bond sinking and interest funds and the purchase of bonds with such funds."	85, 132, 165, 175, 184, 185, 189, 362, 404, 502.
55	Introduced by Brown and McCarthy: A Bill for an Act entitled: "An Act to amend Section 3071 of the Revised Codes of Montana of 1935, relating to hours of labor for underground miners."	67, 127.
56	Introduced by Liggett: A Bill for an Act entitled: "An Act providing for the method whereby public administrators may continue to administer estates not closed at the termination of their term of office by being appointed as general administrators of said estate not closed, or may voluntarily be relieved from further performance of the trust, and prescribing a method whereby a successor in office to a public administrator whose term has expired may compel his predecessor to surrender to him the unfinished estates and property belonging to same and allowing compensation for services partially performed."	67, 106, 107, 178, 230, 261, 263, 266, 372.
57	Introduced by Lambert: A Bill for an Act entitled: "An Act to fix the minimum wage to be paid members of the police departments of cities of the second class of the State of Montana, and of such other cities and towns which have now elected or shall hereafter elect to come under the provisions of Sections 5108.1 to 5108.14, inclusive, Revised Codes of Montana, 1935."	68, 117, 118.
58	Introduced by Lambert and Hess: A Bill for an Act entitled: "An Act providing for the acquisition, purchase, construction, reconstruction, improvement, betterment, extension, operation and maintenance of public service by any city or town, however organized; authorizing and regulating the issuance of revenue bonds for financing such undertakings; and providing for the payment of such bonds and the rights and recourse of holders thereof."	68, 382.
Sub. 58	A Bill for an Act entitled: "An Act providing for the acquisition, purchase, construction, reconstruction, improvement, betterment, extension, operation and maintenance of public service by any city or town, however organized: authorizing and regulating the issuance of revenue bonds for financing such undertakings; and providing for the pay-	

No.	Title of Bill	Page
	ment of such bonds and the rights and recourse of holders thereof."	382, 409, 423, 424, 436, 561, 568, 576, 602, 603.
59	Introduced by Collins: A Bill for an Act entitled: "An Act preventing marriage between white persons and persons of certain other races and making such marriage void; and prescribing punishment for solemnizing such marriage."	68, 107, 119, 136, 285.
Sub. 59	A Bill for an Act entitled: "An Act to amend Section 5702, Revised Codes of Montana, 1935, to include a provision prohibiting marriages between white persons and persons of the Malay race."	285, 301, 323, 330, 353, 459.
60	Introduced by Roehl: A Bill for an Act entitled: "An Act to amend Section 3771 of the Revised Codes of Montana, 1935, relating to the description of the South Moccasin Mountain Game Preserve."	70, 160, 185, 198, 211, 218, 380.
61	Introduced by McGee: A Bill for an Act entitled: "An Act to provide for a dairyman's lien and to provide the means by which a dairyman may take advantage thereof."	70, 85, 153.
62	Introduced by Moss (Custer): A Bill for an Act entitled: "An Act to provide for the payment of delinquent personal property taxes and defining the procedure of the county treasurer where personal property is seized for the payment of such taxes and providing a time when such personal tax can be paid without penalty or interest."	70, 417, 449, 454, 457, 528, 545, 547.
63	Introduced by Lambert: A Bill for an Act entitled: "An Act creating a department of civil service for the State of Montana, prescribing the powers, duties, and procedure of the civil service commission and the director of the state civil service in said department; providing for and regulating the civil service in said state; prescribing penalties for the violation of the provisions of this act; repealing certain acts and parts of acts inconsistent with the provisions of this act; and making appropriation for the support of the said department."	70, 232.
Sub. 63	A Bill for an Act entitled: "An Act creating a department of Civil Service for the State of Montana, prescribing the powers, duties, and procedure of the Civil Service Commission and the Director of the State Civil Service in said department; providing for and regulating the Civil Service in said State; to provide employment and Civil	

No.	Title of Bill	Page
	Service preference for certain veterans or their wives and widows; prescribing penalties for the violation of the provisions of this Act; repealing certain Acts and parts of Acts inconsistent with the provisions of this Act; and making appropriation for the support of the said department.".....	232, 410.
64	Introduced by Stewart and Gebhardt: A Bill for an Act entitled: "An Act to amend Section 3202.1 of the Revised Codes of Montana, 1935, relating to the sale, supply, gift or possession of peyote, commonly known as the mescal button, or any compound derived in preparation thereof; and exempting Indian religious organizations from the provisions thereof; and repealing all acts and parts of acts in conflict therewith."	70, 110, 126.
65	Introduced by Brower: A Bill for an Act entitled: "An Act to amend Section 4993 of the Revised Codes of Montana, 1935, relating to the planting, surveying and certifying before sale of small tracts."	76, 84, 95, 105, 108, 114, 163, 183, 278.
66	Introduced by Sullivan and Martin: A Bill for an Act entitled: "An Act to amend Section 6339 of the Revised Codes of Montana of 1935, relating to the payment of death and annuity benefits upon the lives of children; providing for the organization and operation of a branch of the society for children; providing for the amount of benefits payable thereunder, and repealing all acts in conflict herewith."	76, 139, 158, 176, 185, 189, 347, 360, 400.
67	Introduced by Goodwin: A Bill for an Act entitled: "An Act to amend Section 5108.5, Revised Codes of Montana, 1935, relating to payment of police reserves of the police officers of any city or town in the State of Montana and to provide for payment, from the fund created for the payment of salaries of police officers upon the reserve lists, to widows and dependent children of police officers of cities and towns, defining certain terms and repealing all acts and parts of acts in conflict with this act."	76, 83, 95, 105, 108, 114, 279, 280, 284, 296, 297, 380.
68	Introduced by Morrison by Request: A Bill for an Act entitled: "An Act governing the operation of motor trucks carrying a load of ten (10) tons, or in excess thereof, providing for two (2) operators, defining terms, providing for braking systems for the use of trailers and semi-trailers in connection therewith, for the right of peace officers to weigh vehicles, for speed upon the highways, for penal-	

No.	Title of Bill	Page
	ties for violation of this act, for disposition of fines and forfeitures, for the repeal of acts or parts of acts in conflict herewith, and providing that it is an emergency measure."	76, 145.
69	Introduced by McLeod: A Bill for an Act entitled: "An Act to repeal Chapter 44, Laws of Montana, 1937, relating to the number, designation, election and appointment of officers and employees of the House of Representatives."	76, 153.
70	Introduced by James, Beck, DeDobbeleer, McKenna, Melin, Martin, Laubach, Hess, Miles, Ekern, Rice, Lambert, Brown and Zuck: A Bill for an Act entitled: "An Act establishing a state supervised correspondence school, providing rules and regulations for carrying on the educational program thereof, providing for the appointment of a director thereof, and permitting the use of school funds to carry out the provisions of this act."	76, 103, 119, 136, 231, 261, 271, 273, 475, 477, 479, 495, 496, 589.
71	Introduced by Lippard and Lynch: A Bill for an Act entitled: "An Act relating to the duties of the Secretary of State and providing that the Secretary of State shall send to the county attorney of each county in the state and to the district judges of the state, a printed copy of every law as soon as possible after the Governor has approved said law, providing that the law shall become effective immediately upon its approval by the Governor."	80, 109.
72	Introduced by Judiciary Committee: A Bill for an Act entitled: "An Act to amend Section 107 of the Revised Codes of Montana of 1935, relating to who may petition for a referendum or initiative."	80, 324, 341, 364, 377, 383, 408, 415, 422, 430, 497.
73	Introduced by Highway Committee: A Bill for an Act entitled: "An Act to amend Section 2396.4 of the Revised Codes of Montana of 1935, as amended by Chapter 96 of the Session Laws of the Twenty-fifth Legislative Assembly, relating to refunding gasoline taxes paid and prescribing duties of the state board of equalization relating thereto and providing for the issuance of permits to gasoline tax refund claimants."	85, 145, 170, 191, 204, 209, 323, 343, 472, 486, 487, 565.
74	Introduced by Rice: A Bill for an Act entitled: "An Act relating to candidates for elective offices, repealing Chapter 116, Session Laws of the Twenty-fifth Legislative Assembly."	85, 120.

No.	Title of Bill	Page
75	Introduced by Parker (Flathead): A Bill for an Act entitled: "An Act to amend Section 10039 of the Revised Codes of Montana, 1935, relating to probating of foreign wills."	85, 153, 170, 191, 193, 196, 362, 378, 502.
76	Introduced by Committee on State Lands: A Bill for an Act entitled: "An Act accepting the amendment enacted by congress to section eleven of the act approved February 22, 1889 (24 Stat. 676), relating to the admission into the Union of the states of North Dakota, South Dakota, Montana, and Washington, approved by the president of the United States, June 25, 1938."	85, 103, 115, 128, 132, 136, 208, 210, 211, 281.
77	Introduced by Highway Committee: A Bill for an Act entitled: "An Act to amend Section 2396.2, Revised Codes, Montana, 1935, as amended by Chapter 102, laws Twenty-fifth Legislative Assembly of the State of Montana, 1937, by providing that no original highway construction into, through or across any passes in the main range of the Rocky Mountains within the State of Montana shall be commenced or undertaken in connection with the federal highway system or otherwise by the State Highway Commission, except after completion of the whole amount of uncompleted mileage of said federal highway system in the State of Montana in each highway district therein."	85, 146.
78	Introduced by Affairs of Cities Committee: A Bill for an act entitled: "An Act providing for the collection of city taxes by county treasurers on all motor vehicles and motor vehicles in stock for cities which provide by ordinance for the collection of their own taxes."	86, 90, 95, 108, 110, 126.
79	Introduced by Affairs of Cities Committee: A Bill for an Act entitled: "An Act to amend Section 5070 of the Revised Codes of Montana of 1935 relating to awarding contracts by cities and towns operating under the mayor-council plan of municipal government so as to provide for advertising for bids for contracts and fixing the period for such advertisement."	86, 90, 95, 108, 115, 129, 208, 219, 263, 383.
80	Introduced by Lehrkind and others: A Bill for an Act entitled: "An Act providing for and creating the Montana State Park Commission, and defining the qualifications and duties of the commission and its members, and providing for the acquisition and the care of areas, sites and objects of scenic, historic, archaeologic, scientific and rec-	

No.	Title of Bill	Page
	reational interest and value to the state; and for other purposes."	86, 174, 198, 213, 239, 267, 278, 287, 289, 410, 425, 528.
81	Introduced by Stafford and McCarthy: A Bill for an Act entitled: "An Act to amend Section 2917 of the Revised Codes of Montana of 1935 of the Workmen's Compensation Law relating to medical and hospital services and such other treatment as approved by the board."	86, 174, 208, 219, 230, 257, 537.
82	Introduced by Judiciary Committee by request: A Bill for an Act entitled: "An Act providing that a copy of the judgment and the orders of the court suspending sentence be sent to the state board of prison commissioners and the bureau of identification at the state prison or the institution to which the defendant would have been committed but for the suspension of sentence."	86, 139, 158, 176, 183, 362, 378, 502.
83	Introduced by Bjorneby: A Bill for an Act entitled: "An Act providing for the imposition of a franchise tax upon any person, association of persons or corporation using the surface waters of any navigable lake or stream in the State of Montana to the exclusion of the general public, providing for the collection of said tax, the disposal of the money received therefrom; the enforcement of this act; penalties for the violation thereof and repealing all acts and parts of acts in conflict herewith."	86, 147, 348.
84	Introduced by Affairs of Cities Committee: A Bill for an Act entitled: "An Act to amend Section 5011 of the Revised Codes of Montana of 1935, relating to the appointment of judges and clerks in municipal elections, so as to empower the city council or other governing body to appoint double election boards in certain cases."	86, 90, 95, 108, 115, 129, 272, 278, 279, 383.
85	Introduced by Affairs of Cities Committee: A Bill for an Act entitled: "An Act to amend Section 4622.1, Revised Codes of Montana, 1935, relating to the investment of sinking funds of counties, cities and towns."	86, 90, 95, 107, 120, 141, 145, 156, 290, 293, 299, 329, 459.
86	Introduced by D'Ewart: A Bill for an Act entitled: "An Act creating a department of water works in cities of the first and second class owning and operating a water works, providing for building extensions and additions to such water works, and	

No.	Title of Bill	Page
	for the operating, maintenance and management thereof, authorizing the issuance and sale of bonds payable from revenues of such water works, and providing for the handling and payment of accounts of such water works, and permitting cities of the third class to create a department of water works under the provisions of this act."	86, 295, 326, 343, 364, 371.
Sub. 86	A Bill for an Act entitled: "An Act permitting the creation of a department of water works in cities of the first and second class, except cities operating under the commission form of government, owning and operating a water works, providing for building extensions and additions to such water works, and for the operating, maintenance and management thereof, authorizing the issuance and sale of bonds payable from revenues of such water works, and providing for the handling and payment of accounts of such water works, and permitting cities of the third class to create a department of water works under the provisions of this Act."	371, 406, 441, 455, 456, 528.
87	Introduced by Gebhardt: A Bill for an Act entitled: "An Act to amend Section 12288 of the Revised Codes of the State of Montana, 1935, as amended by Chapter 117, Laws, of Montana, 1937, relating to the appointment, salary and duties of probation officers, to juvenile delinquents and to court procedure."	87, 110, 198, 219, 252, 262, 512, 536, 537.
88	Introduced by Rice and Stafford: A Bill for an Act entitled: "An Act disqualifying from nomination, by petition, convention or otherwise, persons who were unsuccessful candidates at a primary election."	87, 103, 119, 136, 137, 141, 380.
89	Introduced by Hoiness by request: A Bill for an Act entitled: "An Act to authorize the advancement of money on account of salary to officers whose salary is paid quarterly under the constitution of the State of Montana."	87, 96, 115, 128, 132, 135, 208, 210, 211 281.
90	Introduced by Byrne, Friedl, Sorte and Listug: A Bill for an Act entitled: "An Act providing for a monthly allowance to be paid to sheriffs of the several counties as rental for living quarters, wherein the same are not furnished by the county, and repealing all acts in conflict herewith."	87, 147, 164, 318, 326, 349.

No.	Title of Bill	Page
Sub. 90	Introduced by the Committee on Townships and Counties: A Bill for an Act entitled: "An Act relating to the authority of County Commissioners to provide and maintain living quarters for sheriff, and repealing all Acts and parts of Acts in conflict therewith."	349, 383.
91	Introduced by Stafford, Seigling, Stromnes, McLeod, Anderson, Stevens: A Bill for an Act entitled: "An Act to authorize the construction of a building or buildings at Great Falls, Montana, for the deaf and dumb asylum, otherwise named by Statute the Montana School for the Deaf and Blind, to authorize the procuring of funds for the construction of said building from the United States, and to authorize the transfer to the United States of title to the grounds upon which the said building is to be erected, and to authorize the State Board of Education to enter into a contract with the United States or with any properly constituted person or body representing the United States, for the financing and erection of said building or buildings, and for compensation to the United States for the use of said buildings or building through the payment of rental, or otherwise, as may be required by the laws of the United States, or regulations adopted thereunder, and generally to authorize the State Board of Education to enter into such contract or contracts with the United States as may be required by the United States for the procuring of the necessary money to pay for the construction of said building or buildings, and to enter into proper and appropriate contracts with contractors, builders, and others, for the erection of such building or buildings, and to provide that such contract or contracts shall not be, and never shall become, a charge against the State of Montana, or create a liability, debt, or obligation of the State of Montana, in any amount in excess of One Hundred Thirty-seven Thousand Five Hundred Dollars (\$137,500.00)."	91, 162.
92	Introduced by Stafford: A Bill for an Act entitled: "An Act to amend Section 975, Revised Codes of Montana, 1935, pertaining to clerks and deputies and county superintendents of schools and their salaries."	92, 103, 119, 141, 145, 156, 272, 278, 279, 383.
93	Introduced by Judiciary Committee: A Bill for an Act entitled: "An Act to amend Section 7136 of the Revised Codes of Montana, 1935, relating to the appointment of water commissioners."	92, 106, 119, 141, 145, 156, 380.
94	Introduced by Committee on Labor: A Bill for an Act entitled: "An Act regulating the operation of state owned trucks and automobiles, used by the	

No.	Title of Bill	Page
	Montana State Prison, at Deer Lodge, Montana, as regards their use on federal highways, state highways, or county roads, in the State of Montana, and on the streets of Deer Lodge, Montana, amending Sections 12446, 12447 and 12449, or parts thereof, of the Revised Codes of Montana for 1935, which are, or would be inconsistent with this Act."	92, 401.
95	Introduced by Bower: A Bill for an Act entitled: "An Act regulating the business of installation of electrical wires and equipment and prescribing standards therefor, prescribing the powers and duties of the State Auditor, providing for a license to carry on the business of installing electrical wires and equipment, creating an electrical Board of appeals and setting up the qualifications and duties of its members, authorizing the State Auditor to employ a state electrical inspector and such deputies and assistants as may be necessary to carry out the provisions of this Act, creating an electrical license fund and appropriating the moneys therefrom, prescribing penalties for the violation of this act and repealing all Acts and parts of Acts in conflict herewith."	92, 147.
96	Introduced by Smith: A Bill for an Act entitled: "An Act to amend Section 5766 of the Revised Codes of Montana of 1935, relating to the period of residence required to entitle plaintiff to divorce."	92, 125, 126, 158, 175, 176, 183, 377, 380, 384, 481, 487, 529, 530.
97	Introduced by Moss (Flathead) and Goodwin: A Bill for an Act entitled: "An Act to create a division of industrial hygiene within the State Board of Health of Montana, defining its powers and duties, requiring the reporting of occupational diseases and providing for the inspection of all places of employment where occupational diseases may occur."	92, 207, 262, 328, 339, 360, 369, 537, 568, 576, 602, 603.
98	Introduced by Brown, McGee and Hess: A Bill for an Act entitled: "An Act to amend Chapter 82 of the Laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1935, the Public Welfare Act, by amending Section II of Part I, relating to appointment of State Board and by providing for meetings of said State Board; by amending Section III of Part I, relating to the powers and duties of the State Board by providing the manner of selection of personnel of State and County departments; by amending Section VI of Part I, relating to the powers and duties of the	

No.	Title of Bill	Page
	State Administrator; by amending Section IX of Part I, relating to County departments, by providing for payment of compensation of County Board and providing the duties of the Public Administrator; by amending Section X of Part I, relating to the powers and duties of the County Board; by amending Section XI of Part I, relating to the functions and activities of the County Department; by amending Section XII of Part I, relating to the right of appeal; by amending Section II of Part III, relating to VIII of Part II, relating to certification for relief employment; by amending Section XIII of Part II, relating to XV of Part I, relating to fraudulent Acts; by amending Section II of Part II relating to eligibility requirements for general relief; by amending Section V of Part II relating to relief in cash; by amending Section VI of Part II relating to Medical Aid and Hospitalization; by amending Section VIII of Part II, relating to certification for relief employment; by amending Section XIII of Part II, relating to grants-in-aid to County Departments; by amending Section II of Part III, relating to eligibility requirements for old age assistance; by amending Section III of Part III, relating to amount of assistance; by amending Section XII of Part III relating to change of residence; by amending Section III of Part IV, relating to eligibility for assistance in aid to dependent children; by amending Section VI of Part IV, relating to granting of assistance and amount of assistance, and repealing all Acts and Parts of Acts in conflict."	92, 342, 349, 350, 410.
99	Introduced by Murray, McGee, and Malee: A Bill for an Act entitled: "An Act to amend Section 9429 of the Revised Codes of Montana of 1935, relating to exemption of earnings of judgment debtors."	94, 153, 158, 404.
100	Introduced by Beadle, Martin and Melin: A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana, an amendment to Section 2, Article 12, of the Constitution of the State of Montana, relating to the exemption of property from taxation and authorizing the legislature to exempt homes and homesteads actually used and occupied by the owner thereof in a sum not to exceed \$2,500.00 of the value thereof."	94, 206.
101	Introduced by Committee on Public Health and Sanitary Affairs: A Bill for an Act entitled: "An Act to prevent the manufacture, shipment and sale of adulterated or misbranded food, drugs, devices and cosmetics, and to regulate traffic therein; and to prevent the false advertisement of food, drugs,	

No.	Title of Bill	Page
	devices and cosmetics; providing for the registration of certain foods, drugs, devices and cosmetics; prescribing the powers of the State Board of health and of the secretary thereof in connection therewith and empowering said board and the secretary thereof to promulgate rules and regulations within the terms of this Act and prescribing penalties and for the repeal of Sections 2436, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2586, 2587, 2588, 2589, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, Revised Codes of Montana, 1935, as amended or supplemented."	97, 252, 286, 312, 339, 343.
102	Introduced by Morrison, Lowe and Leuthold: A Bill for an Act entitled: "An Act to amend Section 4885 of the Revised Codes of Montana, 1935, relating to the mileage and expense to be allowed sheriffs in delivering prisoners and the discharge of his duties, both civil and criminal."	98, 168, 297.
Sub. 102	A Bill for an Act entitled: "An Act to amend Sections 4884 and 4884.1, Revised Codes of Montana, 1935, relating to mileage of members of the Legislative Assembly, State, County and Township officers and employees, jurors, witnesses and all other persons entitled to mileage; providing for liability of approving boards on their official bonds, and repealing all Acts in conflict herewith."	297, 312, 412.
103	Introduced by Morrison, Lowe and Leuthold: A Bill for an Act entitled: "An Act to amend Sections 4884 and 4884.1 of the Revised Codes of Montana, 1935, relating to mileage to be allowed to any state or county officer when necessarily used in the performance of his official duty, and the liability of the approving board for exceeding the authorized amount."	98, 168, 212, 269, 278, 297, 312, 336.
Sub. 103	"An Act to amend Sections 4884 and 4884.1, Revised Codes of Montana, 1935, relating to mileage of members of the Legislative Assembly, State, County and Township Officers and Employees, Jurors, Witnesses, and all other persons entitled to mileage; providing for liability of approving boards on their official bonds, and repealing all Acts in conflict herewith."	336, 337, 343, 382, 392, 408, 429, 537.
104	Introduced by Hess, McKenna, DeDobbeleer, Melin, Daniel, Beck, Martin, Miles and McClain: "An Act providing for the recall of elective public officers in the State of Montana; relating to the cause of such recall; providing for the percentage necessary on the petition of recall; relating to the formation and filing of charges; relating to the ballot synopsis of charges, the form of petition, the certificate of precinct officers, the size of petition, the check-	

No.	Title of Bill	Page
	ing of petition, the names necessary, the contributions and expenditures, the canvassing of the petition; relating to the conduct of elections, publishing of results, declaring the office vacant, jurisdiction of the courts to compel performance of Act; relating to illegal signatures and false signing; and relating to corrupt practices and professional recallers; and providing for the repeal of all Acts and Parts of Acts in conflict herewith."	98, 277, 309, 339, 340, 343, 384, 395, 512.
105	Introduced by Anderson of Phillips and Metlen: A Bill for an Act entitled: "An Act to amend Section 191.2 Revised Codes of Montana, 1935, as amended by Chapter 55, Laws of 1937, relating to the apportionment of funds received from the Federal government under provision of the Taylor Grazing Act, and expenditure thereof."	98, 103, 119, 141, 391, 392, 408, 415, 512, 536, 537.
106	Introduced by Armstrong: A Bill for an Act entitled: "An Act relating to the acquisition by the United States of lands and waters within the State of Montana for the purpose of creating, developing and maintaining refuges for migratory waterfowl; providing for hearings before granting consent therefor; and reserving the rights, supervision, and control as mentioned herein."	98, 187.
107	Introduced by Berthot, Dunn and Lehrkind: A Bill for an Act entitled: "An Act to amend Section 5486 Revised Codes of Montana, 1935, relating to sewer, water, gas and other connections in cities and towns under Commission-Manager form of municipal government, and giving such cities and towns ordering and making such connections power to divide the cost thereof into not to exceed eight annual payments, with interest on the deferred payments at not to exceed six per cent per annum, payable annually."	98, 139, 165, 176, 185, 190, 380, 404, 502.
108	Introduced by Ryan and Sullivan: A Bill for an Act entitled: "An Act to amend Sections 1, 3 and 6, Chapter 70, Laws of Montana, 1937, and to reenact Sections 2, 4 and 5 permitting real property to be redeemed from tax sale by paying the original tax, providing such original taxes be paid on or before December first, 1940, and relating to the time of taking tax deed."	98, 319.
109	Introduced by Baker: A Bill for an Act entitled: "An Act requiring the recording of instruments	

No.	Title of Bill	Page
	showing powers of trustees to deal with the title to real estate."	98, 132, 165, 184, 185, 190, 459.
110	Introduced by Baker and Smith: A Bill for an Act entitled: "An Act providing for the recovery of damages for injuries to a person, or death resulting from such injuries, and providing for the recovery of damages because of such injuries, or death, notwithstanding the fact that such person may have been guilty of contributory negligence, and providing that all questions of negligence and contributory negligence shall be questions of fact of the jury."	99, 355, 399, 417, 431.
111	Introduced by D'Ewart: A Bill for an Act entitled: "An Act prohibiting the sale of liquor, wine and beer and/or intoxicating beverages at retail during certain hours, fixing penalties for violations thereof and repealing all Acts and parts of Acts in conflict therewith."	99, 402, 424, 441, 448, 450, 561, 568, 574, 602, 603.
112	Introduced by Vanderbeck, James and Liggett: A Bill for an Act entitled: "An Act limiting the power of the Montana State Highway Commission to add sections to or re-route present sections of the primary system of highways; providing when such adding or re-routing may be done, and repealing all Acts and parts of Acts in conflict therewith."	103, 146, 170, 191, 409.
113	Introduced by Lippard and Williams: A Bill for an Act entitled: "An Act relating to school owned buses and buses privately owned and used for the transportation of school children; and providing the manner in which and the colors with which such school buses shall be painted; and providing that other buses not engaged in the transportation of school children shall not be painted in the same colors; and providing that buses shall be equipped with fire extinguishers; and providing a penalty for a violation of the provisions of this Act."	103, 279.
114	Introduced by Rice, Byrne, Stewart, Armstrong and Spiegel: A Bill for an Act entitled: "An Act to amend Section 4536 Revised Codes of Montana, 1935, as amended by Chapter 163 Laws of 1937 relating to burial of deceased soldiers, sailors, marines, and army nurses, and providing when and in what cases the provisions thereof may be effective."	103, 207, 237, 261, 263, 266, 380, 392, 440, 473, 537.

No.	Title of Bill	Page
115	Introduced by Petersen, Tyler, Anderson (Phillips), Listug, Byrne, Cole (Prairie): A Bill for an Act entitled: "An Act to amend Sections 2 and 9 and to re-enact Sections 1, 4, 5, 6, 7, 8, 10, 11, 12 and 13 of Chapter 73, Laws of 1937, relating to an emergency Act relating to the granting of relief from mortgage foreclosure and from execution sales of real estate; providing for extending the period of redemption from said mortgage foreclosures and execution sales, and designating the procedure to obtain such relief and the authority of courts in relation thereto; limiting the rights to maintain actions for deficiency judgments; extending the expiration of certain periods of redemption, and repealing all Acts and parts of Acts in conflict herewith."	104, 285, 309, 328, 339, 350, 364, 384, 395, 528.
Sen. Sub. for H.B. 115	Introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act relating to the granting of relief from mortgage foreclosures and from execution sales of real estate, providing for extending the period of redemption from said mortgage foreclosures and execution sales, and designating the procedure to obtain such relief and the authority of courts in relation thereto; limiting the right to maintain actions for deficiency judgments; extending the expiration of certain periods of redemption, and repealing all Acts and parts of Acts in conflict herewith."	553, 569, 570, 577, 632.
116	Introduced by Stromnes: A Bill for an Act entitled: "An Act relating to the examination of adverse parties in the trial of any civil action or proceeding."	104, 125, 136, 265, 280, 293, 295, 299, 487.
117	Introduced by Flynn: A Bill for an Act entitled: "An Act relating to the classification of irrigated lands and providing when the classification shall be made."	104, 197, 346.
118	Introduced by Affairs and Cities: A Bill for an Act entitled: "An Act relating to the power of the town or city council to change the names or numbers of streets and avenues."	104, 109, 125, 141, 145, 157, 272, 278, 279, 383.
119	Introduced by Anderson (Cascade), Wilson, Newell and Liggett: A Bill for an Act entitled: "An Act to amend Section 2841, Revised Codes of Montana, 1935, so as to require both employer and employee engaged in coal mining to be bound without any right of exemption from the compensation pro-	

No.	Title of Bill	Page
	visions of the Workmen's Compensation Act and providing penalties for the violation thereof."	104, 166, 185, 198, 230, 258, 553.
120	Introduced by Affairs of Cities: A Bill for an Act entitled: "An Act relating to the power of any city, town, school district or board to operate a program of public recreation and play grounds, to acquire, equip and maintain land, buildings and/or other recreational facilities, to expend funds therefor, and providing for supervision by the State Board of Education in certain cases and repealing all Acts and parts of Acts in conflict therewith."	111, 120, 143, 154, 187, 188.
Sub. 120	"An Act relating to the power of any city, town, school district or board to operate a program of public recreation and playgrounds, to acquire, equip and maintain land, buildings and/or other recreational facilities, to expend funds therefor; and providing for supervision by the State Board of Education in certain cases, and repealing all Acts and parts of Acts in conflict therewith."	188, 220, 261, 267, 278, 283, 475, 477, 480, 495, 496, 589.
121	Introduced by Judiciary Committee: A Bill for an Act entitled: "An Act to amend Chapter 63 of the Code of Civil Procedure of the Revised Codes of Montana of 1935, relating to actions to quiet title to real estate, by adding thereto a section to be numbered 9488.1, providing for the maintenance and prosecution of such actions as against unknown claimants or possible claimants, where there are no known claimants or possible claimants to any of the property involved in such action."	111, 265, 280, 293, 312, 321, 475, 486, 487, 565.
122	Introduced by McFatrige: A Bill for an Act entitled: "An Act to amend Sections 715, 716, 717, 718, 720, 721, 722, 723, 724, 725, 726, 727, 728, 730, 731, 733, and 734, Revised Codes of Montana, 1935, relating to a method of voting by electors who are absent or expect to be absent from the county in which they are electors, or who are physically incapacitated or who, in all probability, will be physically incapacitated from attending the polls on the day of election and making regulations regarding such voting."	111, 120, 158, 168, 184, 230, 259, 347.
123	Introduced by DeDobbeleer, et al: A Bill for an Act entitled: "An Act to authorize County Hospitals to accept patients able to pay for the services rendered; authorizing the Board of County Commis-	

INDEX TO HOUSE BILLS

lii

No.	Title of Bill	Page
	sioners to establish standard rates therefor and repealing all Acts and parts of Acts in conflict therewith."	111, 174, 208, 219, 230, 259, 410.
124	Introduced by Morrison by request: A Bill for an Act entitled: "An Act to amend Section 1760 of the Revised Codes of Montana, 1935, as amended by Chapter 138 of the Laws of Montana, 1937, relating to the registration of motor vehicles, fees, disposal of proceeds, fee for half year, dealers' registration and transfer thereof, and exempting public owned vehicles; and providing fees for tractors, defining same, and fees for trailers and semi-trailers, so as to provide that fifty (50) per cent of the net fees derived from the registration of motor vehicles, the owners of which reside within the boundaries of any incorporated city or town of the State of Montana shall be paid over by the County Treasurer to the Treasurer, or other authorized fiscal officer, of such incorporated city or town, for the use of the street fund of such city or town and to be controlled and disbursed by such city or town as a part of its street fund."	111, 126.
125	Introduced by Wenger: A Bill for an Act entitled: "An Act confirming the powers heretofore conferred upon the State Board of Examiners relating to the Montana State Tuberculosis Sanitarium and authorizing their execution; providing for the construction of additions and improvements to the Montana State Tuberculosis Sanitarium; authorizing the present issuance of revenue bonds in the principal amount of Fifty-one Thousand Dollars (\$51,000.00) for the payment thereof, constituting the remaining revenue bonds authorized by Chapter 22, Laws of Montana, Extraordinary Session 1933-34; directing that said revenue bonds be issued in accordance with Chapter 22, Laws of Montana, Extraordinary Session 1933-34, prescribing details in connection therewith and declaring an emergency."	111, 154, 176, 191, 204, 210, 220, 257, 347, 360, 449.
126	Introduced by the Committee on Agriculture, DeDobbeleer, Chairman: A Bill for an Act entitled: "An Act to declare the necessity of creating governmental subdivisions of the State, to be known as "soil conservation districts," to engage in conserving soil resources and preventing and controlling soil erosion; to establish the State Soil Conservation Committee, and to define its powers and duties; to provide for the creation of soil conservation districts, to define the powers and duties of soil conservation districts, and to provide for the exercise of such powers, including the power to acquire property by purchase, gift, and otherwise; to empower such districts to adopt programs and	

No.	Title of Bill	Page
	regulations for the discontinuance of land-use practices contributing to soil wastage and soil erosion, and the adoption and carrying out of soil-conserving land-use practices, and to provide for the enforcement of such programs and regulations; to provide for establishing boards of adjustment in connection with land-use regulations, and to define their functions and powers; to provide for the discontinuance of such soil conservation districts; to provide for the financial assistance to such soil conservation districts; and to repeal Chapter 157 of the Laws of the Regular Session of the Twenty-fifth Legislative Assembly."	111, 117, 143, 164, 193, 196, 323, 343, 472, 524, 589.
127	Introduced by Watson: A Bill for an Act entitled: "An Act to provide for the creation of the Montana State Board of Forestry, and to define its powers and duties; providing for the conservation and protection of all forest lands and resources of the State of Montana; providing that owners of forest lands shall provide protection therefore or pay the actual cost of such protection provided by said board; provided procedure for the assessment and collection of the cost of forest protection; providing for the abatement of public nuisances existing on forest lands; providing police and safety measures for the prevention of and protection against fire on forest lands; providing for co-operation with federal, public and private agencies in forest conservation and protection; and providing for the repeal of Sections 1838, 1841, 1842, 2763, 2764, 2767, 2768, 2770, 2775, 2776, 2777, 2778, 2778.1, 2778.2, 2778.3, 2778.4, 6600 and 6601, of the Revised Codes of Montana of 1935, and of all Acts and parts of Acts in conflict with this Act."	112, 305, 330, 343, 384, 396, 561, 602, 603.
128	Introduced by Stafford and Moss of Flathead: A Bill for an Act entitled: "An Act relating to the licensing of persons operating motor vehicles upon highways and make uniform the laws relating thereto for the purpose of securing a greater safety to the lives and persons of the public generally of the State of Montana and providing penalties for the violations of the provisions thereof."	118, 304.
Sub. 128	"An Act relating to the licensing of persons operating motor vehicles upon highways and make uniform the laws relating thereto for the purpose of securing a greater safety to the lives and persons of the public generally of the State of Montana and providing penalties for the violation of the provisions thereof."	304, 305, 337, 343, 364, 377, 384, 394, 512.

No.	Title of Bill	Page
129	Introduced by Hoiness by request: A Bill for an Act entitled: "An Act relating to licensing of persons engaged in buying, selling, and storing beans, providing for issuance of license upon compliance with United States Warehouse Act; providing for grading of beans and amending Sections 3592.59, 3592.63 and 3592.64 of the Revised Codes of Montana, 1935."	118, 152.
130	Introduced by McFatrige and Gebhardt: A Bill for an Act entitled: "An Act amending Section 4867 of the Revised Codes of Montana of 1935, relating to salaries of County Officers."	121, 147, 176, 191, 204, 209, 281.
131	Introduced by Bjerneby: A Bill for an Act entitled: "An Act to promote the public safety and welfare by prohibiting the operation of motor vehicles upon the highways of the State while intoxicated or under the influence of intoxicating liquor; amending Section 1746.2 of the Revised Codes of Montana, 1935, relating to the penalty for the operation of a motor vehicle while intoxicated or under the influence of intoxicating liquor; amending Section 1746.3 of the Revised Codes of Montana, 1935, relating to additional penalties for such offense; defining the term 'intoxicated or under the influence of intoxicating liquor'; providing tests for the determination of whether a driver is intoxicated as herein defined and prescribing the duties of the arresting officer."	121, 178.
132	Introduced by Freshman, Goodwin, McGee by request: A Bill for an Act entitled: "An Act to amend Sections 5132, 5133 and 5134, of the Revised Codes of Montana, 1935, relating to Service Pensions, Disability Pensions and Widows or Orphans Pensions to be paid members or survivors of members of Fire Departments in the cities and towns where Firemen's Relief Associations have been formed."	121, 187, 230, 261, 266, 271, 273, 475, 495, 496, 589.
133	Intoduced by Byrne, Anderson (Phillips), D'Ewart, Martin and Melin: A Bill for an Act entitled: "An Act to amend certain sections of the Public Welfare Act of the State of Montana as follows: Subsection (c) of Section III Part I. Subsection (a) of Section VI Part I. Subsection (b) of Section VI Part I. Subsection (h) of Section VII Part I. Subsection (b) of Section IX Part I. Subsection (c) of Section IX Part I. Subsection (b) of Section X Part I. Subsection (c) of Section X Part I. Subsection (d) of Section X Part I. Subsection (b) of Section XI Part I.	

No.	Title of Bill	Page
	Section XIV Part I. Section X Part I. Subsection (a) of Section II Part II. Subsection (b) of Section II Part II. Section V Part II. Section IX Part II. Subsection (a) of Section I Part IV. Section VII Part IV. Subsection (e) of Section IV Part VI. Subsection (g) of Section IV Part VI. Subsection (h) of Section IV Part VI. Subsection (j) of Section IV Part VI. Section III Part VIII and to amend and renumber Section V, Part VIII and to repeal Section XIII, Part II; all of which sections and subsections be- long to Chapter 82, Acts of the Twenty-fifth Legislative Assembly of the State of Montana, being the Public Welfare Act, all relating to the General Welfare and the Social Security of the people of the State of Montana."	121, 408, 424, 441, 460, 578, 580, 582, 583, 604, 605, 619, 635, 636.
134	Introduced by Parker of Flathead: A Bill for an Act entitled: "An Act limiting the civil liability of owners and operators of motor vehicles for per- sonal injury or property damage to guests, re- pealing Sections 1748.1 through 1748.4, Revised Codes of Montana, 1935, and all other Acts or parts of Acts in conflict herewith."	122, 153.
135	Introduced by Parker (Flathead), Morrison, Lehr- kind: A Bill for an Act entitled: "An Act to amend Sections 3156, 3157, 3159, 3162, 3166 and 3167 of the Revised Codes of Montana, 1935; all relating to the regulation of the practice of opto- metry and to prevent ignorant, unprofessional or incompetent persons from practicing same."	122, 253, 280, 284, 302, 313, 537, 568, 576, 602, 603.
136	Introduced by Anderson (Cascade), Siegling, Staf- ford and McLeod: A Bill for an Act entitled: "An Act to amend Section 1263.8 of the Revised Codes of Montana, 1935, relating to the budget of Dis- trict and County High Schools, and providing the duties of the County Superintendent of Schools, when there are students attending high school outside of their County or when such students are placed in a State institution."	128, 167, 185, 197, 213, 239, 266, 270, 335, 344, 360, 369, 583.
137	Introduced by Anderson (Cascade), Stafford, Siegl- ing and McLeod: A Bill for an Act entitled: "An Act to repeal Section 1262.80 and to amend Sec- tions 1262.81 and 1262.82 of the Revised Codes of	

No.	Title of Bill	Page
	Montana, 1935, relating to the attendance of a student at a high school outside the county of his residence, and the duty of the County Commissioners to pay from the High School Transfer Fund to the Board of Trustees of the School District or County High School of the pupils attendance a sum of money equivalent to the per pupil allowance budgeted and providing the time that such payment shall be made."	128, 204, 269, 270, 335, 344, 346, 366, 583.
138	Introduced by Reed, Hoiness, Laubach, Aronson, Tyler and Acher: A Bill for an Act entitled: "An Act establishing a State Blind Commission and designating said commission, to cooperate with the Federal government as the agency of the State of Montana in the administration of the Randolph-Shephard Act, approved June 20th, 1936, and in the administration of any other Federal Acts, and authorizing said commission to cooperate with any departments of the State of Montana for the purpose of improving the condition of the adult blind, who by reason of age, are ineligible to attend the Montana School for the Deaf and Blind, by the rehabilitation and vocational training of the blind of Montana, and the prevention of blindness, and prescribing the powers and duties of said commission."	128, 205, 269, 278, 287, 288, 362, 404, 502.
139	Introduced by Murray: A Bill for an Act entitled: "An Act to authorize the organization of State Employees to bargain collectively with their employers and to provide rules and regulations for such collective bargaining organizations."	128, 296.
140	Introduced by the Appropriation Committee: A Bill for an Act entitled: "An Act to appropriate money for the operation and maintenance and other purposes as designated herein for the several units of the Greater University of Montana, known as the State University, Agricultural College, Experiment Station and Substations, Extension Service, School of Mines, State Normal College, Eastern Montana Normal School, and Northern Montana College and for student fare refunds for the period beginning July 1, 1939, and ending June 30, 1941."	132, 147, 185, 198, 211, 218, 475, 477, 478, 513, 517, 530, 543, 544, 545, 578, 628, 629.
141	Introduced by Lippard: A Bill for an Act entitled: "An Act to amend Section 8289, Revised Codes of Montana, 1935, relating to the acknowledgment of satisfaction of chattel mortgages; providing that	

No.	Title of Bill	Page
	the mortgagee shall make an acknowledgment of satisfaction and that the mortgagee must file the same, and providing a penalty for failure to file said acknowledgment of satisfaction and discharge."	133, 152, 170, 179, 355.
142	Introduced by McGee: A Bill for an Act entitled: "An Act to amend Section 2620.17 Revised Codes of Montana, 1935, relating to the licensing of milk and cream buying stations; providing the fees that shall be paid for such licenses, and providing that such milk and cream buying stations shall furnish a surety bond to secure payment for all milk, cream or other dairy product purchased."	133, 326.
143	Introduced by Smith: A Bill for an Act entitled: "An Act to amend Section 2222 of the Revised Codes of Montana, 1935, providing for the refund of taxes, penalties and costs paid more than once or erroneously or illegally collected."	133, 271, 286, 327, 330, 351, 528, 531, 539, 562, 563.
144	Introduced by Smith: A Bill for an Act entitled: "An Act to amend Section 4, 5, 11 and 14 of Chapter 84, Laws of the Twenty-fifth Legislative Assembly of the State of Montana, relating to the regulating, licensing and sale of Liquor at retail in the State of Montana."	133, 376, 406, 441, 460, 578, 580, 582, 583, 584, 620, 633.
145	Introduced by Judiciary Committee: A Bill for an Act entitled: "An Act relating to the employees of the Supreme Court of the State of Montana, and amending Section 366, Section 367, Section 368, Section 377 of the Revised Codes of Montana, 1935, relating to the duties of the Supreme Court Marshal and the Supreme Court Attendant, and amending Section 1569 of the Revised Codes of Montana, 1935, relating to the appointment and duties and qualifications of the Assistant State Law Librarian, and repealing all Acts and parts of Acts in conflict therewith."	133, 153, 176, 191, 198, 220, 260, 380, 404, 502.
146	Introduced by Laubach: A Bill for an Act entitled: An Act to amend Section 10,798, Revised Codes of Montana, 1935, relating to the publication of political advertisements."	133, 326, 358.
147	Introduced by Gebhardt: A Bill for an Act entitled: "An Act to appropriate money for the payment of assessment and judgment against the State of Montana for \$1,652.13 made on account of Custer Drainage District in Yellowstone County, Montana, on cost of construction of drainage system and	

No.	Title of Bill	Page
	directing the State Auditor to draw his warrant in payment of said assessment and judgment."	133, 160.
148	Introduced by Gebhardt: A Bill for an Act entitled: "An Act to appropriate money for the payment of assessment and judgment against the State of Montana for Six Thousand Four Hundred Dollars (\$6,400.00) made on account of Holling Drainage District in Yellowstone County, Montana, on cost of construction of drain and directing the State Auditor to draw his warrant in payment of said assessment and judgment."	133, 161.
149	Introduced by Freshman by request: A Bill for an Act entitled: "An Act to amend Section 5668.38 of the Revised Codes of Montana of 1935, relating to tax levy for establishing and maintaining airports—bonds, by authorizing a license tax."	133, 206.
150	Introduced by Committee on Appropriations: A Bill for an Act entitled: "An Act to appropriate money from the State General Fund for the salary of bandmaster and instructor at the Montana State Prison, and to prevent the termination of the W. A. Clark Trust for the benefit of prisoners at said institution, for the biennium, July 1, 1939, to June 30, 1941."	134, 147, 170, 191, 193, 197, 578, 580, 582, 602, 603.
151	Introduced by Education Commission: A Bill for an Act entitled: "An Act amending paragraph (7), of Section 1, of Chapter 87, of the Laws of the Twenty-fifth Legislative Assembly of 1937, relating to the 'definition' of 'prior service'; amending paragraph 3 (a), of Section 8, of Chapter 87, of the Laws of the Twenty-fifth Legislative Assembly of 1937, relating to the 'Pension Accumulation Fund' and providing for an appropriation therefor; amending paragraph 5 (c), of Section 8, of Chapter 87, of the Laws of the Twenty-fifth Legislative Assembly of 1937, relating to the 'Expense Fund', and providing an appropriation therefor; amending paragraph (b), of Section 10, of Chapter 87, of the Laws of the Twenty-fifth Legislative Assembly of 1937, relating to the 'collection of contributions by members' and providing penalties."	134, 231, 280, 284, 302, 314, 553, 568, 572, 602, 603.
152	Introduced by Lambert, Ekern, Hess and James by request: A Bill for an Act entitled: "An Act providing for the registration of mechanical musical instruments as herein defined, reporting to the State Board of Equalization on the gross proceeds therefrom, and providing for the payment of an operating fee based on the gross revenue	

No.	Title of Bill	Page
	and the disposition of said fee, and providing penalties for violations thereof."	134, 206, 213, 418.
153	Introduced by Lambert, Ekern and Hess: A Bill for an Act entitled: "An Act providing for the registration by the owner of service rendering devices or machines which require a person to insert a coin or coins in a container before the service is rendered; providing for the reporting of the gross revenue derived from said devices or machines for services rendered wholly within the State of Montana; providing for the payment of an operating fee based on said gross revenue; providing for the disposition of said operating fee by the State Board of Equalization and State Treasurer of Montana; and providing penalties for the violation of this Act."	134, 206.
154	Introduced by Lambert, Ekern and Hess: A Bill for an Act entitled: "An Act providing for the registration of automatic merchandise vending machines; providing for the reporting to the State Board of Equalization the gross revenue derived from said automatic merchandise vending machines; providing for the payment of an operating fee based on said gross revenue; providing for the disposition of said operating fee by the State Board of Equalization and State Treasurer of Montana; and providing penalties for the violation of this Act."	134, 206.
155	Introduced by Padbury and Smith: A Bill for an Act entitled: "An Act to abolish the Montana State Fair: Authorizing the transfer of State Fair property to the County of Lewis and Clark; reserving certain property to the State Highway Commission and permitting use of certain grounds by the State Fish and Game Commission for the purpose of maintaining a game farm, and repealing Sections 1580 to 1582 inclusive, and Sections 3640 to 3644 inclusive, Revised Codes of Montana, 1935, and all other Acts and parts of Acts in conflict herewith."	134, 173, 208, 219, 230, 259, 512.
156	Introduced by Sorte, Clark and Hammond: A Bill for an Act entitled: "An Act to amend Section 1805.89, Revised Codes of Montana, 1935, relating to reinstatement of canceled certificates of purchase of State Land and effect thereof."	134, 276, 286, 321, 358.
157	Introduced by Sorte, Clark and Hammond: A Bill for an Act entitled: "An Act to amend Section 1805.87, Revised Codes of Montana, 1935, relating to payments of installments on certificate of purchase of State Lands and penalty interest on delinquent installments."	135, 276, 286, 321, 372.

No.	Title of Bill	Page
Sub. 157	A Bill for an Act entitled: "An Act to permit payment of delinquent installments on certificates of purchase of State lands without paying penalty interest, providing such installments be paid on or before December 1, 1940."	372, 400, 441, 442, 444, 537, 545, 546.
158	Introduced by Sorte, Clark and Hammond: A Bill for an Act entitled: "An Act to amend Section 1805.88, Revised Codes of Montana, 1935, relating to default in payment of installments on certificate of purchase of State Lands and effect thereof."	135, 372.
Sub. 158	A Bill for an Act entitled: "An Act to amend Section 1805.88, Revised Codes of Montana, 1935, and relating to default in payment of installments on certificate of purchase of state lands, providing for the conversion and renewal of existing contracts for the repurchase of state lands and relating to the reinstatement of cancelled certificates of purchase."	372, 406, 441, 442, 444, 537, 545, 546, 547.
159	Introduced by Stromnes: A Bill for an Act entitled: "An Act relating to electric cooperative, non-profit, membership corporations organized to engage in rural electrification."	140, 173, 208, 213, 239, 265, 301, 334, 353, 553, 568, 572, 628.
160	Introduced by Smith: A Bill for an Act entitled: "An Act to amend Section 1741.5 of Chapter 182 of the Laws of 1937 relating to the salaries of Highway Patrolmen."	140, 148, 178.
161	Introduced by Melin, Martin and Beadle: A Bill for an Act entitled: "An Act amending Sections 8883, 8885, 8886, 8887, 8889, 8890, 8893, 8894 and 8895, Revised Codes of Montana, 1935, defining Juries and the qualifications of jurors; making women eligible for jury service; providing for certain exemptions from jury service; and repealing all Acts and parts of Acts in conflict herewith."	148, 167, 185, 198, 220, 257, 487, 492, 500, 513, 517, 518, 553, 562, 601, 619, 628.
162	Introduced by Hoiness and Malee: A Bill for an Act entitled: "An Act in relation to arson and the burning of property to defraud an insurer and to repeal Sections 11337, 11338, 11339, 11340, 11341,	

No.	Title of Bill	Page
	11342, 11343, 11344, 11345 and 11346 of the Revised Codes of Montana of 1935."	148, 382, 406, 420, 424, 436, 537, 545, 546.
163	Introduced by Hess: A Bill for an Act entitled: "An Act to amend Section 5022, Revised Codes of Montana, 1935, fixing the salary of City Treasurer and providing that additional salary may be paid where city owns and operates public utility or utilities and receives revenue therefrom."	148, 305, 337, 343, 360, 366, 475, 486, 487, 565.
164	Introduced by Hammond, Vanderbeck, Murray, Malee, Padbury and Byrne: A Bill for an Act entitled: "An Act providing for the regulation of the sale of food and food stuffs, providing for a State Board of Food Distributors and defining its powers and duties, setting forth the requirements for licensing of food stores, restaurants, and other places, definitions and penalties and repealing all Acts and parts of Acts in conflict herewith."	148, 174, 220, 239, 266, 278, 287, 288, 475, 509, 527.
165	Introduced by Hammond, Vanderbeck, Padbury, Byrne, Murray and Malee: A Bill for an Act entitled: "An Act to amend Section 12 of Chapter 80 of the Session Laws of Montana of 1937, so as to authorize the Montana Trade Commission to enforce the provisions of said act and to provide procedure therefor and also to amend said Chapter 80, by incorporating therein in the proper order, four new sections to be known as Section 12A, 12B, 12C and 12D, providing for the procedure for the establishment of cost surveys, conferring power upon the Montana Trade Commission to conduct hearings and investigations and providing the method of procedure therefor, making unlawful the changing, altering, substituting or falsifying of invoices and providing penalties therefor and creating the Unfair Practice Act enforcement fund and providing for the transfer to such fund of a percentage of the store license fee receipts and for the expenditure of such fund for the cost and expenses incurred by the Montana Trade Commission in the performance of its duties under said chapter."	148, 174, 220, 239, 266, 278, 287, 289, 475, 477, 479, 509, 527.
166	Introduced by Stromnes, by request: A Bill for an Act entitled: "An Act to amend Section 4932, Revised Codes of Montana, 1935, relating to the fees of constables and allowing salaries in certain townships; and providing that in certain townships	

No.	Title of Bill	Page
	wherein a municipal court is established the provisions as to salary shall not apply."	149, 193, 211.
167	Introduced by Stromnes by request: A Bill for an Act entitled: "An Act to amend Section 9390, Revised Codes of Montana, 1935, relating to Bills of exceptions; providing the time within which a Bill of Exceptions must be prepared and filed and served upon the adverse party; the time within which amendments may be proposed and filed; and providing for the settling of the Bill."	149, 179.
168	Introduced by Committee on Livestock and Public Ranges: A Bill for an Act entitled: "An Act relating to brand inspection of livestock being shipped or trailed; designation of place and furnishing of facilities by County Commissioners for unloading and inspecting livestock; providing penalty for violation thereof and repealing all Acts and parts of Acts in conflict therewith."	149, 160, 176, 197, 286, 327, 334, 353, 475, 486, 589.
169	Introduced by Judiciary Committee by request: A Bill for an Act entitled: "An Act to amend Section 4929 of the Revised Codes of Montana, 1935, relating to the salaries of Justices of the Peace in certain townships, and office hours and quarters; and providing the salaries of Justices of the Peace shall be based on the population of the township, and that in certain townships wherein a municipal court is established, the compensation shall be be fees and not a fixed salary."	149, 193, 211.
170	Introduced by D'Ewart, Padbury, Aronson and Newell: A Bill for an Act entitled: "An Act to repeal an Act of the Second Legislative Assembly of the State of Montana, 1891, entitled 'an Act ceding to the United States jurisdiction of certain lands'; and to amend Section 23, Revised Codes of Montana, 1935, relating to the cession of jurisdiction over that part of Yellowstone National Park in the State of Montana; and repealing all Acts and parts of Acts in conflict herewith."	149, 276, 349.
Sub. 170	A Bill for an Act entitled: "An Act to amend Section 23, Revised Codes of Montana, 1935, relating to the cession of jurisdiction over that part of Yellowstone National Park in the State of Montana and repealing all Acts and parts of Acts in conflict therewith."	349, 378, 407, 409, 429, 537, 568, 577, 581, 591, 620, 633.
171	Introduced by Melin by request and McGee: A Bill for an Act entitled: "An Act to amend Section 5711 of the Revised Codes of Montana, 1935, relating to the county in which a marriage license	

No.	Title of Bill	Page
	must be obtained and duties of the Clerk of the District Court."	149, 179, 197, 319.
172	Introduced by Spiegel, Ryan, Cannon and Murray: A Bill for an Act entitled: "An Act creating the Montana Labor Relations Board; prescribing the powers and duties of the Montana Labor Relations Board; securing to labor the right to bargain collectively; prescribing certain rights and duties of employees; prohibiting unfair labor practices on the part of employers; providing for the investigation, hearing, and disposition of labor disputes and unfair labor practices by the Montana Labor Relations Board; authorizing the Montana Labor Relations Board to petition the Montana Supreme Court to enforce the orders of the board; providing aggrieved persons may obtain writs of review from the Montana Supreme Court reviewing orders of the board; authorizing issuance of subpoenas and enforcing attendance of witnesses and taking of testimony by the Montana Labor Relations Board and providing for the manner of issuing subpoenas and enforcing attendance at hearings of the board; providing the Montana Labor Relations Board may obtain data from other State Boards; authorizing the Montana Labor Relations Board to cooperate with the National Labor Relations Board; defining the terms used in the Act; providing penalties for violation of the provisions of this Act; appropriating funds to put into effect the provisions of this Act; repealing all Acts and parts of Acts in conflict herewith."	149, 331, 332, 363, 380, 390.
173	Introduced by McLeod and Murray: A Bill for an Act entitled: "An Act to provide vacations with pay for workers, providing penalty for violation thereof and repealing all Acts and parts of Acts in conflict therewith."	150, 403, 487.
174	Introduced by McFatrige and Hoiness: A Bill for an Act entitled: "An Act to amend Section 4584 of the Revised Codes of Montana of 1935, relating to the assessment and apportionment of costs of rural improvement districts."	150, 207, 269, 278, 287, 289, 475, 495, 496, 537.
175	Introduced by Padbury and Smith: A Bill for an Act entitled: "An Act to amend Section 1916 of the Revised Codes of Montana of 1935, relating to the redemption of bonds before maturity which are held by the State Board of Land Commissioners as investments."	150, 205, 232.
176	Introduced by Daniel: A Bill for an Act entitled: "An Act to amend Section 1010, Revised Codes of Montana, 1935, relating to transportation, board,	

No.	Title of Bill	Page
	rent, tuition of pupils of any school district or districts of the State of Montana and providing for furnishing transportation, rent, board and tuition for such pupils."	150, 174, 198, 254, 271, 273, 553.
177	Introduced by D'Ewart by request: A Bill for an Act entitled: "An Act to create the office of Medical Referee and to define his powers, duties and compensation."	154, 205.
178	Introduced by Sullivan: A Bill for an Act entitled: "An Act to amend Section 1, Chapter 118, Laws of 1937, relating to calling for bids and letting contracts for public printing and repealing all Acts and parts of Acts in conflict therewith."	154, 324, 341, 364.
179	Introduced by Stromnes: A Bill for an Act entitled: "An Act regulating noxious gases, fumes, or dusts in business establishments; making the presence thereof; empowering the State Board of Health to set up standards; requiring the local Health Officer to investigate conditions; and repealing Acts in conflict herewith."	154, 252, 280, 284, 301, 327, 335, 361, 512.
180	Introduced by McCarthy, Brown, DeDobbeleer, Beadle: A Bill for an Act entitled: An Act to amend the title of Chapter 96 of the Laws of 1915 the Fourteenth Legislative Assembly entitled: "An Act providing for the protection and safety of workmen in all places of employment in all inherently hazardous works and occupations; providing a schedule of compensation for injuries to or death of workmen and methods of paying the same, and prescribing the liability of employers who do not elect to pay such compensation; establishing the Industrial Accident Board, defining its powers and duties; and providing for a review of its awards" as amended, being Sections 2816 to 3033 inclusive of the Revised Codes of Montana of 1935, and adding thereto a new part to stand as Part VI, and to consist of Sections 1 to 12 inclusive."	155, 163, 403, 419, 448, 449.
181	Introduced by Moss (Custer): A Bill for an Act entitled: "An Act to amend Section 1520, of the Revised Codes of Montana of 1935, relating to admission of patients to the Montana State Tuberculosis Sanitarium, and eliminating the qualification of citizenship as a prerequisite to such admission."	155, 357.
182	Introduced by the Appropriation Committee: A Bill for an Act entitled: "An Act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain of the State's in-	

No.	Title of Bill	Page
	stitutions, for the period beginning July 1, 1939, and ending June 30, 1941."	155, 160, 185, 198, 211, 219, 512, 516, 521, 536, 537.
183	Introduced by Leuthold, et al: A Bill for an Act entitled: "An Act providing for the increase of the rate of taxation on real and personal property for State purposes of not to exceed three (3) mills on each dollar of valuation, in addition to the levy which is now or may be hereafter authorized by Section 9 of Article 12 of the Constitution of the State of Montana, for a period of ten years beginning with the year 1941, and to authorize and empower the Legislative Assembly to levy a tax for each year during such period of an additional levy of not to exceed three (3) mills on each dollar of valuation for the support, maintenance and improvement of the institutions now comprised in the Greater University of Montana, together with the Agricultural Experiment Station and its branches and substations, and the Agricultural Extension Service, including the soil survey and the grain laboratory and to appropriate so much of the money derived therefrom for each year during said period as may be necessary for said purposes, and providing for the submission of this Act to the qualified electors of the State of Montana at the next general election, describing the form of ballots to be used and the duties of the Secretary of the State of Montana relative to the submission of said Act to the qualified electors of said state."	155, 212, 400, 424, 447, 455, 456, 487, 561, 568, 578, 581, 589, 590, 620, 628.
184	Introduced by Leuthold: A Bill for an Act entitled: "An Act to amend Section 4736 of the Revised Codes of Montana, 1935; relating to the hours during which certain county offices shall be kept open for business."	155, 168.
185	Introduced by Committee on Employment: A Bill for an Act entitled: "An Act to amend Section 63 of the Revised Codes of Montana as amended by Chapter 44 of the Laws of 1937, relating to the number, designation, election and appointment of officers and employees of the House of Representatives."	155, 158, 174, 208, 219, 233, 236, 279, 280, 286, 334, 360, 400.
186	Introduced by Brower: A Bill for an Act entitled: "An Act to amend Section 45, of the Revised Codes	

No.	Title of Bill	Page
	of Montana, 1935, relating to the number of representatives from each county."	163, 187, 220, 254, 271, 274, 497, 503, 537, 568, 577, 581, 626, 629, 633.
187	Introduced by Ryan, by request: A Bill for an Act entitled: "An Act amending paragraph numbered eleven (11) of Section 1622 of the Revised Codes of Montana, 1935, relating to the powers and duties of County Commissioners inspecting highways and to repeal Section 1622.1 relating to County Surveyors' duties in counties having a total registered vote of fifteen thousand or over at the last general election and repealing Section 1622.2 of the Revised Codes of Montana, 1935, relating to road supervisors and repealing all Acts and parts of Acts in conflict herewith."	163, 207.
188	Introduced by Horrigan, Woods and Stevens: A Bill for an Act entitled: "An Act to amend Section 10773, Section 10774, Section 10803, Section 10804 and Section 10810 Revised Codes of Montana, 1935, changing the limitations on the amounts a candidate may spend to procure his nomination or election; providing for judgments in election contests; defining persons who may contest and repealing all Acts and parts of Acts in conflict herewith."	163, 328, 376, 405, 408, 415, 553.
189	Introduced by Smith: A Bill for an Act entitled: "An Act to amend Section 12381, Revised Codes of Montana, 1935, relating to the duties and powers of the Coroner."	163, 174, 208, 219, 239, 266, 311.
190	Introduced by Committee on Highways: A Bill for an Act entitled: "An Act relating to misleading sign or direction boards and advertising signs along the highways in the State of Montana and giving the Montana Highway Patrol certain powers in connection therewith."	164, 178, 208, 219, 233, 252, 261, 298.
191	Introduced by Berthot, Dunn and Lehrkind: A Bill for an Act entitled: "An Act to amend Section 2000.7 of the Revised Codes of Montana, 1935, providing the basis for the imposition of taxes upon certain agricultural products and livestock."	168, 319, 337, 343, 346, 366, 512.
192	Introduced by Hammond, Listug and Wenger: A Bill for an Act entitled: "An Act authorizing directors of corporations to issue bonds, debentures or other	

No.	Title of Bill	Page
	obligations convertible into stock and defining stockholders' rights in connection therewith."	169, 285, 309, 339, 344, 365, 512, 536, 537.
193	Introduced by Siegling, McLeod, Anderson (Cascade), Liggett, Newell, Wilson, O'Connor: A Bill for an Act entitled: "An Act to amend Section 3501 of the Revised Codes of Montana, 1935, as amended by Section 2 of Chapter 146 of the laws of the Twenty-fifth Legislative Assembly of 1937, relating to the ventilation of coal mines, the purity of air in coal mines and providing methods for the operation of cutting and shearing machines in coal mining."	169, 276, 294, 328, 335, 361, 528, 531, 540, 551, 552.
194	Introduced by Emswiler, Longenecker and Antrim: A Bill for an Act entitled: "An Act relating to the general supervision of the State Examiners over County Treasurers."	169, 230, 233, 295, 309, 339, 360, 370, 410.
195	Introduced by Emswiler, Longenecker and Antrim: A Bill for an Act entitled: "An Act to amend Section 4880, Revised Codes of Montana, 1935, relating to maximum number of deputy treasurers, assessors, auditors and county attorneys."	169, 207, 269, 278, 287, 290, 528, 536, 537, 629.
196	Introduced by Emswiler, Longenecker and Antrim: A Bill for an Act entitled: "An Act to amend Section 2182, Revised Codes of Montana, 1935, relating to publication of notice of tax sale."	169, 265.
197	Introduced by Committee on Agriculture: A Bill for an Act entitled: "An Act to amend the following sections of the Revised Codes of Montana, 1935, relating to weights and measures: namely, Section 4235, relating to state sealer of weights and measures; Section 4236, relating to supervision of inspections of weights and measures; Section 4237, relating to allowance of bills and expenses; Section 4238, relating to duties of sealer of weights and measures; Section 4239, relating to inspection and certificates; Section 4240, relating to penalty for using weighing or measuring devices not inspected and certified; Section 4241, relating to duty to have scales adjusted; Section 4242, relating to inspection of scales for public weighing; Section 4243, relating to authority to inspect weighing devices; Section 4244, relating to authority to inspect weight of commodities offered for sale; Section 4245, relating to inspection of track scales used by common carriers; Section 4246, relating to weight of commodities	

No.	Title of Bill	Page
	offered for sale; Section 4247, relating to keeping of record of inspection; Section 4249, relating to denomination of weights; Section 4250, relating to use of weights pending adjustment; Section 4251, relating to condemnation of non standard weights; Section 4252, relating to seizure of weights as evidence; Section 4253, relating to scales of itinerant peddlers; Section 4254, relating to regulation of milk containers; Section 4255, relating to contents of milk bottles; Section 4256, relating to penalty for using false weights; Section 4257, relating to legal weights; Section 4258, relating to penalty for selling less quantity than represented; Section 4260, relating to penalty for refusing to permit examination; Section 4261, relating to promulgation of rules by state sealer; Section 4263, relating to powers of sealers; Section 4264, relating to disposition of fines; Section 3575.2, relating to fees for scale inspection service; Section 3575.3, relating to contingent revolving fund for payment of expenses, and repealing the following sections of the Revised Codes of Montana, 1935; namely, Section 4233, relating to weights and measures inspected by county sealer; Section 4239, relating to inspection and certificates; Section 3575.1, relating to appointment of state scale expert; Section 3575.4, relating to certificate of test by state scale expert; Section 3575.5, relating to use of untested weighing devices; Section 3575.6, relating to permit to use weighing devices; Section 3575.7, relating to penalty for making false test; providing penalties for violations and repealing all acts in conflict."	169, 187, 230, 254, 263, 267, 475, 477, 478, 522, 523, 552, 602, 603.
198	Introduced by McLeod, Anderson (Cascade), Cannon, Beadle, Siegling: A Bill for an Act entitled: "An Act to amend Section 4869, Revised Codes of Montana, 1935, relating to the salaries of county superintendents of schools in counties of the first, second, third, and fourth class counties."	170, 207, 213, 276, 293, 302, 314, 380.
199	Introduced by Stromnes: A Bill for an Act entitled: "An Act to amend Section 459.1, Revised Codes of Montana, 1935, relating to the expenses of officers and employees of the State of Montana."	170, 206.
200	Introduced by Longenecker: A Bill for an Act entitled: "An Act to create the Montana armory board and to define its powers and duties."	170, 205, 237, 261, 267, 320, 339, 362, 373, 537, 550, 560, 583, 584.
201	Introduced by Lehrkind and D'Ewart: A Bill for an Act entitled: "An Act creating a state milk con-	

No.	Title of Bill	Page
	trol board to supervise and regulate the fluid milk industry of the State of Montana, and defining its powers and duties; setting forth the rules governing said board; providing for the licensing and collection of license fees from milk dealers, producers, and distributors; defining milk, milk dealers, consumers, producers, producer-distributors and distributors, and their duties as such; authorizing the board, created hereunder, to promulgate regulations and rules for the administration of its functions; providing for a review of the board's rulings; fixing penalties and additional remedies; providing for repeal of all laws in conflict with this act, and establishing the manner of this act's taking effect."	170, 187, 271, 282, 325, 340, 371, 377, 392, 405, 537, 542, 602, 603.
202	Introduced by Newell, Wilson and O'Connor: A Bill for an Act entitled: "An Act to amend Section 4630.6 of the Revised Codes of Montana, 1935, as amended by Chapter 135 of the Legislative Assembly of the State of Montana, 1937, relating to bonds issued for certain purposes may be issued without holding an election, and repealing all Acts and parts of Acts in conflict herewith."	175, 179, 220, 261, 401.
203	Introduced by Committee on Affairs of Cities: A Bill for an Act entitled: "An Act relating to the reinstatement of police officers in cities in the State of Montana, and providing for the pension benefits to be allowed an officer who has been reinstated."	179, 205, 237, 261, 271, 274, 561, 568, 574, 589.
204	Introduced by Committee on Affairs of Cities: A Bill for an Act entitled: "An Act to amend Section 5401, Revised Codes of Montana, 1935, relating to elections to submit the question of reorganization of the form of city government and providing for a petition by the electors of a municipality requesting that the question be submitted at an election."	179, 207, 237, 261, 271, 274, 410.
205	Introduced by Malee and McGee: A Bill for an Act entitled: "An Act to amend Section 3694 of the Revised Codes of Montana, 1935, relating to the restrictions of the manner of taking and possessing fish and game, and granting and giving to the State Fish and Game Commission of the State of Montana, authority to change or suspend closed seasons on game birds and animals, game fish and fur-bearing animals, so as to meet existing	

No.	Title of Bill	Page
	conditions, and also, to make and promulgate rules and regulations for the killing, taking, capturing and possessing of game fish, game birds, game and fur-bearing animals; prescribing penalties for a violation of this Act and repealing all Acts and parts of Acts in conflict with the provisions hereof."	179, 311, 341, 363, 377, 379, 392, 408, 415, 512, 517, 561, 568, 575, 602, 603.
206	Introduced by Acher: A Bill for an Act entitled: "An Act to amend Sections 7684 and 11579, Revised Codes of Montana, 1935, relating to defrauding keepers of inns, hotels, restaurants, cafes, apartments, rooming or boarding houses or hospitals, and penalty for violation thereof."	180, 319, 337, 343, 346, 367, 512.
207	Introduced by Petersen, McKenna, Hess, Melin, Tyler, Smith, Padbury: A Bill for an Act entitled: "An Act relating to the duty of Boards of County Commissioners to remove from certain roads weeds and other material that might cause snow to drift thereon."	180, 207, 237, 254, 271, 275, 380, 400, 424.
208	Introduced by Ryan: A Bill for an Act entitled: "An Act to prohibit the making or manufacture of motor vehicle license number plates, or the processing or preparation of any material used or entering into the making or manufacture of such motor vehicle license number plates by the inmates of any of the custodial, penal, charitable, or reformatory institutions of the State of Montana; prohibiting the employment of the labor of such inmates in the making or manufacture of such motor vehicle license number plates, or in the processing or preparation of any material used or entering into the making or manufacture of such motor vehicle license number plates, and providing a penalty for the violation thereof."	180, 287.
209	Introduced by Lippard and Lynch: A Bill for an Act entitled: "An Act to amend Section 1008, Revised Codes of Montana, 1935, relating to the power of School Trustees over property and providing the manner in which conveyance by deed may be made by or to School Districts and the right of the Board of Trustees to remove buildings and improvements from land when the land is no longer being used for school purposes."	180, 204, 230, 261, 271, 275, 528, 531, 539, 562, 563.
210	Introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Section 15 of Chapter 84 of the Laws of the	

No.	Title of Bill	Page
	Twenty-fifth Legislative Assembly of the State of Montana, authorizing the Montana Liquor Control Board to charge and collect an excise tax on all liquor sold by it."	180, 207, 237, 254, 271, 275, 362, 378, 502.
211	Introduced by Malee: A Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the state of Montana of an amendment to Section 19 of Article VIII of the Constitution of the State of Montana relating to the qualifications and terms of office of County Attorneys."	180, 319, 333, 360, 399, 419, 421, 438, 447, 586.
212	Introduced by Cannon: A Bill for an Act entitled: "An Act to amend Section 1760, Revised Codes of Montana, 1935, as amended by Chapter 138, Laws of 1937, relating to registration of motor vehicles, fees, disposal of proceeds, fee for half year, dealers' registration and transfer thereof, and exempting public owned vehicles; and providing fees for tractors, defining same and fees for trailers and semi-trailers."	180, 341.
213	Introduced by Byrne: A Bill for an Act entitled: "An Act creating a commission to be known as the State Insurance Commission, composed of the State Auditor-Ex Officio Commissioner of Insurance, State Accountant and Chairman of the State Board of Equalization, all serving without additional compensation, and prescribing the duties of said commission."	180, 281, 309, 339, 343, 346, 367, 512, 536, 537.
214	Introduced by Watson: A Bill for an Act entitled: "An Act to amend Section 1262.83 of the Revised Codes of the State of Montana of 1935, relating to purchases by Boards of Trustees of County High Schools and of School Districts for High School purposes of lands contiguous to a high school building without calling for a vote of the qualified electors; and repealing all Acts and parts of Acts in conflict herewith."	181, 187, 237, 261, 310, 344, 371, 389, 528, 545, 546.
215	Introduced by Watson: A Bill for an Act entitled: "An Act to amend Section 1262.14 of the Revised Codes of the State of Montana of 1935, relating to and increasing the bond limit of counties of the Fifth Class for County High School purposes."	181, 268, 284, 309, 312, 322, 475, 486, 589.

No.	Title of Bill	Page
216	Introduced by Stevens and Antrim: A Bill for an Act entitled: "An Act to amend Chapter 13 of Political Code of Montana of 1935, by adding thereto new sections numbered: Sections 107.1, 107.2, 107.3, 107.4, prohibiting an elector who has once signed a proposed petition for initiative or referendum petition under and in accordance with the provisions of said Chapter from withdrawing his name from said petition, and prohibiting the County Clerk and Recorder, and the Secretary of State from accepting, certifying, or giving credit for any such withdrawal petitions."	181, 355.
217	Introduced by Committee on Conservation of Resources: A Bill for an Act entitled: "An Act for the purpose of providing for the conservation, protection, restoration, and proper utilization of grass and forage resources of the State of Montana as a means of restoration and maintenance of the prosperity and general welfare of the state: Defining terms, words and phrases; creating the Montana Grass Conservation Commission: Defining its purpose: Providing for the membership, the appointment and expenses thereof; defining the powers and prescribing the duties of said commission; granting certain authority over State Grazing Districts and the power to hear and determine controversies between Grazing Districts or Grazing Districts and members or non-members thereof: Providing for the appointment of a State Administrator of Grass Conservation; his compensation and defining his powers and duties; providing for hearings by the Administrator or any member of the Commission delegated to hold the same and for appeal to the Montana Commission from the decision and orders thereon; providing for an appeal to the District Court from a decision of the Commission; creating a fund to be known as the State Grass Conservation Fund and providing for the assessment and collection of fees to defray the expenses of said Commission; providing for the creation and the incorporation of Cooperative Grazing Districts and defining their powers and duties; and defining who may become members thereof; and the rights and privileges of members; to authorize such districts to purchase grass seed, livestock, supplies, to lease State Lands and other lands, and to undertake reseeding of depleted range areas or abandoned farm lands, purchase or otherwise acquire the possession of land for grazing purposes, conservation, restoration and improvement of forage resources; granting to the Montana Grass Conservation Commission supervisory authority over grazing districts; providing for cooperation of and with governmental and state departments or agencies; defining the manner of distributing grazing preferences and revocation thereof; providing for the liquidation of the assets of a district upon its dissolution and	

No.	Title of Bill	Page
	providing the compensation to a district for range improvements by subsequent lessees or owners of land; providing for crossing privileges; providing for the use of lands lying within the exterior boundaries of a district controlled by a non-member; to grant the commission the authority to prepare and approve rules and regulations for the purpose of carrying out the provisions of this Act; to define the terms trespass and legal fence as related to grazing districts and provide penalties for the violation thereof; providing for the reservation of range for wild life and repealing Sections 7364.7 to 7364.29 inclusive, of the Revised Codes of Montana, 1935, and providing for the Associations Incorporated under previous Acts to comply with the provisions of this Act."	181, 340.
Sub. 217	A Bill for an Act entitled: "An Act for the purpose of providing for the conservation, protection, restoration and proper utilization of grass and forage resources of the State of Montana as a means of restoration and maintenance of the prosperity and general welfare of the State; defining terms, words and phrases; creating the Montana Grass Conservation Commission; defining its purpose; providing for the membership, the appointment and expenses thereof; defining the powers and prescribing the duties of said commission; granting certain authority over State Grazing districts and the power to hear and determine controversies between grazing districts or grazing districts and members or non-members thereof; providing for the appointment of a secretary to the Grass Conservation Commission, his compensation and defining his powers and duties; providing for hearings by the secretary or any member of the commission delegated to hold the same and for appeal to the Montana Commission from the decision and orders thereon; providing for an appeal to the District Court from a decision of the commission; creating a fund to be known as the State Grass Conservation Fund and providing for the assessment and collection of fees to defray the expenses of said commission; providing for the creation and incorporation of cooperative grazing districts and defining their powers and duties; and defining who may become members thereof; and the rights and privileges of members; to authorize such districts to purchase grass seed, livestock, supplies, to lease state lands and other lands, and to undertake reseedling of depleted range areas or abandoned farm lands, purchase or otherwise acquire the possession of land for grazing purposes, conservation, restoration and improvement of forage resources, granting to the Montana Grass Conservation Commission supervisory authority over grazing districts; providing for co-operation of and with governmental and state departments or agencies; defining the man-	

No.	Title of Bill	Page
	ner of distributing grazing preferences and revocation thereof; providing for the liquidation of the assets of a district upon its dissolution and providing the compensation to a district for range improvements by subsequent lessees or owners of land; providing for crossing privileges; providing for the use of lands lying within the exterior boundaries of a district controlled by a non-member; to grant the commission the authority to prepare and approve rules and regulations for the purpose of carrying out the provisions of this Act; to define the terms trespass and legal fence as related to grazing districts and providing penalties for the violation thereof; providing for the reservation of range for wild life and repealing Sections 7364.7 to 7364.29 inclusive, of the Revised Codes of Montana, 1935, and providing for the associations incorporated under previous Acts to comply with the provisions of this Act."	340, 363, 392, 405, 408, 427, 512, 516, 521, 579, 580.
218	Introduced by Morrison of Lewis and Clark: A Bill for an Act entitled: "An Act to endow the State Board of Health of the State of Montana with powers to operate as a pneumonia control agency for the State of Montana, stating the function and prescribing the duties of such board in connection therewith; providing for distribution of pneumonia serum; establishing a fund therefor and appropriating the sum of Ten Thousand (\$10,000) Dollars for such fund subject to disbursement, replenishment and continuance upon a revolving basis."	182, 205, 269, 270, 402.
219	Introduced by Spiegel and McGee: A Bill for an Act entitled: "An Act to preserve the coal resources of the State of Montana from too rapid exhaustion without corresponding benefit to the state and to classify methods of mining coal and to distinguish underground mining of coal from strip mining of coal and open pit mining of coal; and an Act to amend Sections 2316 to 2326, Revised Codes of Montana, 1935, requiring every person, firm, association, joint stock company and corporation, engaged in or carrying on the business of coal mining, or engaged in working or operating any mine or mining property in the State of Montana, from which coal is mined, produced or extracted, to pay to the State Treasurer for engaging in and carrying on such business by any method, certain license taxes for the exclusive use and benefit of the State of Montana; fixing the amount and disposition of such license taxes; prescribing a method for the assessment and collection thereof; and prescribing the penalties for the violations of the provisions of this Act."	182, 434, 449, 454.

No.	Title of Bill	Page
220	Introduced by Stromnes, by request: A Bill for an Act entitled: "An Act relating to the right to inherit of persons not citizens of the United States and residing in foreign countries; providing for the disposition of money and property which but for the provisions of this Act would have been transferred to certain of such persons; prescribing the duties of executors, administrators and certain county officers in regard thereto; and repealing all Acts and parts of Acts in conflict therewith."	182, 265, 280, 293, 295, 299, 512, 536, 537.
221	Introduced by Smith, Gebhardt, Dunn, Morrison, Stewart, Padbury, Stafford, Lambert, Beadle, Miles, Stromnes and Hoiness: A Bill for an Act entitled: "An Act to amend Sections 3228.1, 3228.2, 3228.3, 3228.4, 3228.5, 3228.7, 3228.8, 3228.9, 3228.10, 3228.11, 3228.13, 3228.15, 3228.16 and 3228.17 of the Revised Codes of Montana of 1935, regulating the occupation of hair dressers and cosmetologists, and establishing the requirements for obtaining a license to practice or teach cosmetology, and the regulation of schools of cosmetology providing and prescribing the powers of the State Board of Beauty Culture."	188, 304, 354, 390, 408, 414, 528, 545, 546, 547.
222	Introduced by Lambert: A Bill for an Act entitled: "An Act relating to the removal from the State of Montana of persons convicted of crimes, feeble minded persons, insane persons, inebriates and dipsomaniacs, persons addicted to the use of narcotics and poor and indigent persons who are not residents of the State of Montana, or who are aliens, defining terms used therein; empowering the State Department of Public Welfare to make reciprocal agreements with other states in regard thereto and repealing all Acts and parts of Acts in conflict therewith."	188, 253, 337, 399, 417, 420, 435, 448.
223	Introduced by Martin, Melin, Flynn, Ekern and Lambert: A Bill for an Act entitled: "An Act to provide medical and hospital care for persons unable to pay the same; prescribing regulations and authorizing the imposition of a tax for such purpose and the repealing of Section 4465.4, Revised Codes of Montana, 1935, and all Acts in conflict herewith."	188, 319.
224	Introduced by Longenecker: A Bill for an Act entitled: "An Act to provide for a local option election upon the question of the sale of intoxicating liquors except non-intoxicating beer in any County of the State."	189, 399, 406, 424, 433, 434.

No.	Title of Bill	Page
225	Introduced by Moss (Flathead), Byrne, Melin, Parker (Flathead): A Bill for an Act entitled: "An Act to amend Section 10 of Chapter 84, Laws of 1937, relating to the persons ineligible for license to sell liquor at retail."	189, 406.
226	Introduced by Byrne and Zuck: A Bill for an Act entitled: "An Act to amend Section 7 of Chapter 85, Laws of the Twenty-Fifth Legislative Assembly, 1937, relating to continuance of an emergency and continuing in force the provisions of said Chapter 85."	193, 355, 399, 433, 442, 445, 537, 545, 546, 547.
227	Introduced by Zuck and others: A Bill for an Act entitled: "An Act amending Section 4487, Revised Codes of Montana, 1935, relating to extension work in agriculture and home economics and allowing County Commissioners to appropriate money for such work; by providing further that no County Agent shall be appointed except upon petition of the qualified electors of the county living outside incorporated cities and towns."	193, 232, 284, 306, 307, 381, 405.
228	Introduced by Morrison, McFatridge and Hoiness: A Bill for an Act entitled: "An Act to amend Section 1005 of the Revised Codes of Montana of 1935, relating to the organization of school trustees."	193, 310, 401, 424, 447, 448, 451, 497.
229	Introduced by Dunn: A Bill for an Act entitled: "An Act to amend Section 1999 of the Revised Codes of the State of Montana, 1935, as amended by Chapter 130 of the Laws of Montana, Twenty-Fifth Session, 1937, relating to the classification of property for taxation."	193, 435.
Sub. 229	A Bill for an Act entitled: "An Act relating to the classification of certain property for taxation."	435, 449, 452.
230	Introduced by Siegling: A Bill for an Act entitled: "An Act assenting to the provisions of the Act of Congress entitled: 'An Act to provide that the United States shall aid the states in wild-life restoration projects, and for other purposes,' approved September 2, 1937; vesting certain authority in the Montana Fish and Game Commission in connection therewith and providing for disposition of funds realized thereunder."	194, 306, 311, 330, 343, 364, 384, 396, 553.
231	Introduced by Highway Committee: A Bill for an Act entitled: "An Act to provide for the reporting of accidents upon the public highways; to provide for the duties of persons involved in such	

No.	Title of Bill	Page
	accidents; to require persons involved in such accidents to furnish certain information and to make reports thereof; authorizing incorporated cities to require the filing of reports of accidents; providing other regulations relating to the public highways and providing penalties for the violation of the provisions thereof."	194, 205, 271, 284, 295, 300, 528, 545, 546.
232	Introduced by McFatrige: A Bill for an Act entitled: "An Act to fix the annual compensation of the Deputy Secretary of State."	194, 232, 276, 293, 301, 327, 356.
233	Introduced by Committee on Labor: A Bill for an Act entitled: "An Act prescribing the hours of labor for persons employed in or about hotels and tourist camps; providing exemptions therefrom; providing penalties for a violation thereof and repealing all Acts and parts of Acts in conflict herewith."	194, 278, 294, 339, 341, 343, 364, 380, 383, 408, 425, 511.
234	Introduced by Reed (by request): A Bill for an Act entitled: "An Act to return to the counties of the State of Montana a proportionate share of the net profits of the Montana Liquor Control Board."	194, 356.
235	Introduced by Committee on Highways: A Bill for an Act entitled: "An Act to amend Section 1704, Revised Codes of Montana, 1935, providing for the levying of a Special Bridge Tax."	194, 356.
236	Introduced by Duncan: A Bill for an Act entitled: "An Act to amend Section 3722 of the Revised Codes of Montana, 1935, relating to protection of beaver, and beaver license and tagging, and repealing all laws in conflict therewith."	194, 398.
237	Introduced by D'Ewart and Metlen: A Bill for an Act entitled: "An Act to amend Sections 1805.21, 1805.23 and 1805.24 of the Revised Codes of Montana of 1935, relating to leasing of State Lands, renewal of such leases, qualifications of lessees, amount of land which may be embraced in leases, period of lease and lease expiration dates."	194, 363, 400, 407, 424, 438, 537, 551, 552, 565.
238	Introduced by Smith and Stewart: A Bill for an Act entitled: "An Act to amend Section 1741.9 of the Revised Codes of the State of Montana of 1935, as amended by Chapter 62 of the Laws of Montana, Twenty-Fifth Session, 1937, relating to arrest by Highway Patrolmen and empowering therein patrolmen to stop motor vehicles transporting livestock and livestock products and take	

No.	Title of Bill	Page
	possession of the same whenever they have good reason to believe such are stolen."	194, 205, 271, 284, 286, 293, 330, 350, 528, 545, 546, 547.
239	Introduced by Committee on Appropriations: A Bill for an Act entitled: "An Act to provide for the repayment of the pro rata amount of premiums paid under the State Fire Insurance Act by Counties and School Districts, for the unused portion of such premiums."	194, 212, 271, 282, 297, 328, 335, 361, 528, 531, 540, 562, 563.
240	Introduced by Ryan and Murray: A Bill for an Act entitled: "An Act limiting the powers of trustees of Cemetery Associations, requiring the employment of Montana labor in the construction of burial vaults; providing for a penalty; and repealing all Acts and parts of Acts in conflict herewith."	195, 277, 294, 301, 312, 321, 410.
241	Introduced by Duncan, Flynn and McClain: A Bill for an Act entitled: "An Act to amend Section 1035 of the Revised Codes of Montana of 1935, relating to the formation of Joint School Districts (districts lying partly in one county and partly in another), and providing for the procedure for the creation of said districts, and providing for the procedure on appeal to the Boards of County Commissioners."	195, 212, 271, 284, 286, 310, 343, 362, 374, 512, 517, 578, 580, 581.
242	Introduced by Flynn: A Bill for an Act entitled: "An Act amending Section 310, Revised Codes of Montana, 1935, relating to the employment of the custodian of the State Capitol and fixing the salary therefor."	195, 232, 276, 293.
243	Introduced by Flynn by request: A Bill for an Act entitled: "An Act requiring the Montana Fish and Game Commission to co-operate and agree with the superintendents, or other proper officers, of National Parks with regard to the open and closed seasons for taking fish from waters which are partly within National Parks and partly outside thereof and within the State of Montana."	195, 306.
244	Introduced by Committee on Education: A Bill for on Act entitled: "An Act to amend Subsection 2 of Section 1015 of the Revised Codes of Montana of 1935 relating to the employment of teachers and other persons and providing for the payment of face-value of the contracts."	195, 309, 330, 343, 362, 373, 553.

No.	Title of Bill	Page
245	Introduced by Committee on Education: A Bill for an Act entitled: "An Act to amend Sections 1187, 1188, 1191, of the Revised Codes of Montana of 1935, relating to text-books."	195, 309, 337, 343, 346, 367, 561, 568, 575, 602, 603.
246	Introduced by Morrison and Rice: A Bill for an Act entitled: "An Act relating to copyrights and public performing rights in musical compositions, and dramatic-musical compositions, the registration thereof describing each such musical composition and dramatico-musical composition, the performing rights intended to be sold, licensed or otherwise disposed of in the State of Montana, showing the name and title of the copyrighted composition, the date of the copyright, the number or other identifying symbol given thereto in the United States copyright office, the name of the author, the name of the publisher, the name of the present owner of the copyright to such composition, the name of the present owner of the performing rights thereto, requiring the filing of such descriptive lists in the office of the Secretary of State of Montana, making such lists available for examination and the taking of copies thereof, providing for the publication of such lists in the discretion of the Secretary of State and the duties of the Secretary of State. Providing the method for computing charges or compensation in certain cases. Authorizing and permitting the Secretary of State of Montana to accept service of process in suits or proceedings arising under the Act and describing the method to be followed, and the duties of the Secretary of State in relation thereto, and the fees to be charged therefor; providing for pleading and proving compliance with the Act. Providing penalties for the violation thereof and repealing Chapter 90 of the Laws of the Twenty-fifth Legislative Session of 1937."	195, 263, 286, 301, 312, 322, 561, 583, 584.
247	Introduced by Miles: A Bill for an Act entitled: "An Act to appropriate Thirty Thousand (\$30,000.00) Dollars per annum to aid in the continuation of the co-operative work now being carried on by the Montana Livestock Commission and Fish and Game Commission and the Federal agencies in the control of predatory animals in the State of Montana and said funds to be subject to the order of the Livestock Commission of the State of Montana."	208, 298, 318, 339, 343, 360, 369, 601, 602, 603.
248	Introduced by McLeod, Anderson (Cascade), Siegling, Stromnes, Stafford, Stevens, Martin, Melin, Beadle, Cannon, Sullivan: A Bill for an Act en-	

No.	Title of Bill	Page
	<p>titled: "An Act for the payment of Old Age Pensions; establishing State and County Old Age Pension Commissions and prescribing their duties as such; defining the qualifications of those entitled to receive Old Age Pensions; providing for the administration of said Act; providing for the establishment of a State Old Age Pension Fund; providing that aid from the United States Government in furtherance of this Act be placed in said Fund; providing forms for applications for pensions and investigation of applications; providing for the granting of assistance and to whom paid; providing the right of appeal; providing for reports; prohibiting the assigning of grants; making certain Acts fraudulent; and repealing all Acts in conflict herewith."</p>	208, 304.
249	<p>Introduced by Brower and Ekern: A Bill for an Act entitled: "An Act to establish a State Hospital to be known as the Montana State Infantile Paralysis Sanitarium for the treatment of infantile paralysis, and others to be treated by water-therapy; providing the location thereof; prescribing rules and regulations for the same; providing for the issuance of revenue bonds for the erection of buildings and purchasing equipment therefor; providing that such bonds shall not constitute or be a debt, liability or obligation of the State but shall be secured only by the rents and/or income of such institution; providing for the registration of such bonds; providing for trust indenture and trustee for said bonds; providing for the creation of a sinking fund and defining its purposes; empowering the State Board of Examiners to enter into all contracts and agreements necessary or incidental to the execution of its powers under this Act; providing remedies of bondholders; declaring an emergency, and making appropriations therefor."</p>	208, 326, 346, 361.
250	<p>Introduced without notice, by unanimous consent of the House: By Appropriations Committee: A Bill for an Act entitled: "An Act to amend Section 287 of the Revised Codes of Montana, 1935, relating to the authority of the State Purchasing Agent with respect to requisitions for purchase by the various departments, commissions, boards and officials of the State of Montana."</p>	209, 231, 276, 293, 295, 300, 410, 425, 528.
251	<p>Introduced by Lambert and Ekern: A Bill for an Act entitled: "An Act providing for the licensing, regulation and control of games of chance and gambling with cards or other gambling devices; providing for a House Gambling license and for a Game or Table License, and granting to the Montana Liquor Control Board certain powers for the enforcement of this Act; making certain Acts</p>	

No.	Title of Bill	Page
	illegal and providing penalties therefor; prohibiting minors from entering gambling houses, and providing penalties for a violation; fixing the amount of license fees to be paid for said license; providing for the disposal of the proceeds of licenses and fees collected by the board; permitting cities, towns and counties to levy a license tax in addition to the State License herein provided; declaring an emergency to exist; and providing for local option by cities, towns or counties permitting thirty-five per cent (35%) of the qualified electors by petition to require an election and by a majority vote at such election to suspend and prohibit games of chance in such city, town or county; and repealing Acts in conflict herewith."	213, 412.
Sub. 251	A Bill for an Act entitled: "An Act providing for the licensing, regulation and control of games of chance or other gambling devices; providing for a house gambling license and for a game or table license, and granting to the Montana Liquor Control Board certain powers for the enforcement of this Act; making certain Acts illegal and providing penalties therefor; prohibiting persons under the age of majority from playing at such games; fixing the amount of license fees to be paid for said licenses; providing for the disposal of proceeds of fees collected under the provisions of this Act; permitting cities, towns and counties to levy a license tax in addition to the state license; appropriating funds for the enforcement of the provision of this Act; and repealing all Acts and parts of Acts in conflict herewith."	412, 442.
252	Introduced by Education Committee: A Bill for an Act entitled: "An Act to amend Sections 1263.3, 1263.5, 1263.6, 1263.11, 1263.12 and 1263.19. All relating to High School Budgets."	213, 231, 409.
Sub. 252	"An Act to amend Sections 1263.3, 1263.5, 1263.6, 1263.11, 1263.12 and 1263.19 of the Revised Codes of Montana, 1935, all relating to high school budgets."	409, 424, 433, 452, 453, 561, 568, 577, 602, 603.
253	Introduced by McClain and Morrison: A Bill for an Act entitled: "An Act creating the Montana State Forest and Conservation Experiment Station and providing for its organization, defining its duty and authority, and generally relating to its organization, functions, management and duties."	213, 346.
254	Introduced by Padbury and Byrne: A Bill for an Act entitled: "An Act to amend Section 6269 of Chapter 33 of the Revised Codes of Montana of 1935, relating to the investment of funds and loan-	

No.	Title of Bill	Page
	ing of money by domestic life insurance companies."	213, 281, 309, 328, 330, 351, 528, 545, 546, 547.
255	Introduced by Lippard and Williams: A Bill for an Act entitled: "An Act relating to school buses used in transportation of school children and the qualifications and duties of drivers of such buses; providing manner in which said buses shall be equipped and the qualifications and duties of drivers of school buses; and providing penalty for a violation of the provisions of this Act."	213, 310, 330, 343, 371, 389, 487.
256	Introduced by McClain and Moss (Custer): A Bill for an Act entitled: "An Act providing for the transfer to the Railroad Unemployment Insurance account, established and maintained pursuant to the provisions of the Railroad Unemployment Insurance Act (52 Stat. 1094), a certain portion of the Unemployment Compensation Trust Fund of the State of Montana established and created pursuant to Section 904 of the Federal Social Security Act, as amended; providing for the authority of the Unemployment Compensation Commission of Montana to co-operate with and enter into agreements with the Railroad Retirement Board with respect to the use of Montana State Employment Service facilities and to make available records of the commission relating to employers and employees covered by the Railroad Unemployment Insurance Act."	214, 304, 326, 343, 346, 365, 537, 568, 572, 602, 603.
257	Introduced by Committee on Highways: A Bill for an Act entitled: "An Act repealing Sections 9430.2 and 9430.3, Revised Codes of Montana, 1935, and providing in what cases a motor vehicle may be exempt from attachment or execution."	214, 265, 280, 284.
258	Introduced by Malee: A Bill for an Act entitled: "An Act relating to cases in which any judge or justice of the peace may be disqualified and calling in another judge, and amending paragraph four (4), Section 8868 of the Revised Codes of Montana, 1935, relating to disqualification of judges in certain contempt proceedings."	214, 324, 345, 377, 383, 408, 427, 528, 531, 538, 551, 552.
259	Introduced by Flynn and Morrison. A Bill for an Act entitled: "An Act to amend Section 5384 of the Revised Codes of Montana of 1935 relating to supervisory powers of mayor and councilmen—election and removal of officers—police judge, by	

No.	Title of Bill	Page
	eliminating therefrom the words 'chief of the fire department and chief of the police department'.....	214, 305, 318, 339, 344, 387, 537, 568, 573, 602, 603.
260	Introduced by Lippard: A Bill for an Act entitled: "An Act to amend Section 2815.154, of the Revised Codes of Montana of 1935, being a part of the 'State Liquor Control Act of Montana'.".....	214, 260, 285, 301, 321, 339, 344, 416, 512, 524, 525, 537.
261	Introduced by Committee on Education: A Bill for an Act entitled: "An Act to repeal Sections 1091, 1094, 1096, 1099, 1100, and 1104, and to amend Sections 1092 and 1095, Revised Codes of Montana, 1935, relating to the qualifications and issuance of Teachers' Certificates."	214, 359.
262	Introduced by Committee on Education: A Bill for an Act entitled: "An Act directing the appointment of a specialist in the field of special education for the exceptional child; the making of a survey and study of the needs of such school children; providing for the preparation, use, and supervision of a State-wide program of special education for the exceptional child in the public school; providing for an annual appropriation of not less than Seven Thousand Dollars (\$7,000.00) from the State Public School General Fund for payment of the salary and other expenses necessarily incurred in making effective the provisions of this Act."	214, 378.
263	Introduced by Committee on Education: A Bill for an Act entitled: "An Act to amend Section 931, Revised Codes of Montana, 1935, relating to election, qualification, oath and bond of the Superintendent of Public Instruction."	214, 359, 400, 411, 422.
264	Introduced by Committee on Education: A Bill for an Act entitled: "An Act to amend Section 1, Chapter 118 of the Laws of the Twenty-first Legislative Assembly of 1929, relating to the qualifications of County Superintendents of Schools.".....	214, 359, 399, 417, 424, 437, 497.
265	Introduced by Committee on Education: A Bill for an Act entitled: "An Act directing the appointment of a specialist in the field of health and physical education; the making of a survey and study of the health of school children; providing for the preparation, use, and supervision of a State-wide program of health and physical education in the public school; providing for teacher training in health and physical education; providing for an annual appropriation of not less than Seven Thousand Dollars (\$7,000.00) from the State	

No	Title of Bill	Page
	Public School General Fund for payment of the salary and other expenses necessarily incurred in making effective the provisions of this Act."	215, 231, 256, 310, 318, 325, 358.
266	Introduced by Committee on Education: A Bill for an Act entitled : "An Act to amend Section 933, Revised Codes of Montana, 1935, as amended by Chapter 149, Laws of Montana, 1937, relating to the official staff of the Superintendent of Public Instruction, adding thereto a music supervisor, fixing the salary, and defining the duties of such supervisor."	215, 359, 372, 376, 393, 431, 449, 454, 455, 497.
267	Introduced by Stromnes, by request: A Bill for an Act entitled: "An Act defining the qualifications of water works employees in the cities and towns in the State of Montana; providing for the creation of water works reserves, specifying salary limits thereof, and specifying the limits of tax levies therefor."	215, 302, 303, 330, 343, 364, 384, 396, 498.
268	Introduced by Duncan: A Bill for an Act entitled: "An Act to amend Chapter 15, Laws of 1937, relating to the hours of work of members of paid fire departments of cities of the first class providing a minimum compensation for members of paid fire departments of cities of the first class and repealing all Acts and parts of Acts in conflict herewith."	215, 295.
269	Introduced by Sullivan, by request: A Bill for an Act entitled: "An Act to amend Section 4139.1, Revised Codes of Montana, 1935, relating to abstracters and the business of abstracting."	215, 277, 324.
270	Introduced by Hammond: A Bill for an Act entitled: "An Act requiring licenses for the operation, maintenance, opening or establishment of stores in this state, the classifying of such stores, prescribing the license and filing fees to be paid therefor and the disposition thereof, and the powers and duties of the State Board of Equalization in connection therewith; and prescribing penalties for the violation thereof and repealing Sections 2420.1, 2420.2, 2420.3, 2420.4, 2420.5, 2420.6, 2420.7, 2420.8, 2420.9, 2420.10, 2420.11, Revised Codes of Montana, 1935, and Chapter 199 of the Session Laws of the Twenty-fifth Legislative Assembly of 1937."	215, 356, 372.
271	Introduced by Reed, Stevens, Acher, Moss (Flat-head), and Byrne: A Bill for an Act entitled: "An Act appropriating money for the payment to the estate of Walter B. Sands, deceased, of salary earned by Walter B. Sands while Chief Jus-	

No.	Title of Bill	Page
	<p>tice of the Supreme Court of the State of Montana, which he did not receive."</p>	<p>215, 329, 363, 390, 399, 414, 578, 583, 584.</p>
272	<p>Introduced by Watson: A Bill for an Act entitled: "An Act giving power to the Board of Trustees of any School District to sell and dispose of, or to exchange school property which has become or is about to become abandoned as unsuitable for school purposes of said district; and providing the procedure to be followed."</p>	<p>215, 268, 284, 309, 312, 317, 512, 536, 537.</p>
273	<p>Introduced by Wenger, Malee and Murray: A Bill for an Act entitled: "An Act to authorize the State of Montana to become indebted in the sum of One Million Five Hundred Thousand Dollars in excess of the Constitutional limitation of indebtedness and over and above any bonded indebtedness heretofore incurred or created and for which the State of Montana is now obligated, for the construction, repair, and equipment of necessary buildings, other permanent improvements and the acquisition of necessary grounds therefor at the Montana State Hospital for the Insane located at Warm Springs, Montana: providing for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness and for the sale thereof, prescribing the form of such bonds and providing for the levy of an annual tax sufficient to pay the principal thereof and the interest accruing thereon."</p>	<p>216, 354, 400, 405, 421, 430, 528, 531, 539, 562, 563.</p>
274	<p>Introduced by Bjorneby: A Bill for an Act entitled: "An Act providing for the safeguarding by insurance against direct loss by fire, lightning, tornado, windstorm, cyclone, hail and explosion; providing for the establishment of a fund to be known as the "State Property Insurance Fund"; providing for the call for bids on the insurance to protect State property; providing for standard forms for the hazards insured against; providing for the insurance under the provisions of this Act as present insurance expires; providing for otherwise insuring if required by the administration of public works; providing for appropriation for such insurance for the biennium July 1, 1939 to June 30, 1941; to provide for an appropriation for excess insurance purchased by the Board of Examiners for the biennium July 1, 1939 to June 30, 1941; providing for validity of the Act, and repealing all Acts and parts of Acts in conflict herewith."</p>	<p>216, 298.</p>
275	<p>Introduced by Stevens: A Bill for an Act entitled: "An Act appropriating money for the payment to</p>	

No.	Title of Bill	Page
	the estate of Peter P. Lee, deceased, of the sum of Seven Hundred Thirty-eight and 86/100 Dollars (\$738.86), erroneously collected and paid into the State Treasury as inheritances taxes."	216, 231, 280, 293, 295, 300, 487.
276	Introduced by Stevens: A Bill for an Act entitled: "An Act for the payment of Old Age Pensions; establishing a State Old Age Pension Commission; defining the qualifications of those entitled to receive Old Age Pensions; providing for the administration of said Act; providing for forms of applications; providing funds for the State Old Age Pension Commission and establishing a special fund known as the State Old Age Pension Fund; providing that aid from the United States Government in furtherance of this Act be placed in said fund; providing for eligibility to receive pensions; providing for the residence of applicants, and change of residence; providing for the expenses incurred in carrying out the provisions of the Act; prohibiting assignments of grants; repealing all Acts and parts of Acts in conflict herewith."	216, 304.
277	Introduced by Acton: A Bill for an Act entitled: "An Act amending Section 440, Revised Codes of the State of Montana, 1935, relating to salaries of Deputy State Officers, Clerks, Stenographers and employees."	216, 410.
278	Introduced by Hoiness, Gebhardt, McFatrige, Hammond, and Williams: A Bill for an Act entitled: "An Act to amend Section 6014.31 of the Revised Codes of Montana, 1935, so as to exclude amortized loans therefrom."	216, 265, 280, 293, 302, 307, 314, 528.
279	Introduced by Watson: A Bill for an Act entitled: "An Act to repeal Chapter 52, Laws of Montana, 1937, relating to the establishment, regulation, supervision, licensing and bonding of livestock markets and penalty for violations thereof."	216, 337, 379.
280	Introduced by unanimous consent without previous notice, by the Committee on Appropriations: A Bill for an Act entitled: "An Act to appropriate money for the State Department of Public Welfare of the State of Montana for General Relief and contingencies for the period ending March 1, 1939, it having been found that the appropriations provided by the Twenty-fifth Legislative Assembly were insufficient for the above purposes."	217, 232, 269, 270, 286, 287, 298.
281	Introduced by Siegling and Horrigan: A Bill for an Act entitled: "An Act to regulate, and control, the operation of games of chance; to provide for the licensing thereof by the State Board of Equalization and granting to said Board certain powers	

No.	Title of Bill	Page
	therein; providing for the distribution to the State and Counties of the proceeds thereof; making certain Acts illegal and providing penalties; prohibiting minors from participating in any of the said games and providing penalties therefor; permitting cities and towns to levy a license tax therefor in addition to the State Tax herein provided and to regulate the conduct of such games under the police powers of said cities; providing that by a special election any county may prohibit the games of chance in said county; providing that such games of chance shall be licensed unless a special election shall be had in such counties as provided in this Act, and providing for such special election; repealing all Acts and parts of Acts in conflict therewith."	217, 420.
282	Introduced by Leuthold: A Bill for an Act entitled: "An Act to amend Section 20, Article VII of the Constitution of the State of Montana; providing for a Board of Control; providing for their appointment; defining their powers and term of office; providing for submission of the said Act to the qualified electors of the State of Montana."	217, 333, 363, 390, 408, 426, 431, 432, 433, 496, 502, 586.
283	Introduced by Morrison: A Bill for an Act entitled: "An Act providing for the admission of Dorothy Blanche FitzGerald, disabled daughter of a disabled Spanish American War Veteran, to the Montana Soldiers' Home at Columbia Falls, Montana."	217, 263, 280, 293, 302, 315, 475, 486, 589.
284	Introduced by Metlen, Stevens, Goodwin, McLeod, Padbury and Hoiness: A Bill for an Act entitled: "An Act authorizing and directing the Governor and Board of Examiners of the State of Montana to make application to United States Public Works Administration, or the Works Progress Administration of the United States for a grant or loan, in co-operation with the State of Montana, for the construction of a suitable Montana Historical Library building, inclusive of suitable quarters therein for the Montana Supreme Court, and State Law Library, and other State offices, and the American Legion of Montana, Veterans of Foreign Wars, Disabled War Veterans, Spanish American War Veterans, and other similar veterans' organizations, together with the Society of Montana Pioneers, and Sons and Daughters of Montana pioneers and other Patriotic organizations, as an adjunct to the State Capitol building, and authorizing the issuance and sale of revenue bonds by the Board of Examiners of the State of Montana for said purpose."	233, 344, 385, 386, 409, 423, 447.

No.	Title of Bill	Page
285	Introduced by Wenger, Malee and Murray: A Bill for an Act entitled: "An Act to authorize the construction of a building or buildings for the Montana State Tuberculosis Sanitarium; to provide for the issuance of revenue bonds for the payment thereof; to provide that such bonds shall not constitute or be a debt, liability or obligation of the State but shall be secured only by the rents or income of the buildings; to provide for the registration of such bonds; to provide for trust indenture and trustee for said bonds; to provide for the creation of a sinking fund and to define its purposes; to empower the State Board of Examiners to enter into all contracts and agreements necessary or incidental to the execution of its powers under this Act; to provide remedies of bondholders; and declaring an emergency."	233, 357.
286	Introduced by McClain and Morrison: A Bill for an Act entitled: "An Act to appropriate money for the operation and maintenance and other purposes as designated herein for the Montana Forest and Conservation Experiment Station, as created by Chapter 141 of the Session Laws of 1937, for the period beginning July 1, 1939, and ending June 30, 1941."	233, 281.
287	Introduced by Stromnes: A Bill for an Act entitled: "An Act to amend Section 6711 and Section 6713, Revised Codes of Montana, 1935, relating to the accumulation of the income of property directed by will, trust or transfer and relating to the application of said income, and providing the time for which an accumulation may be provided and the manner in which application may be made for allowances from an accumulation."	233, 355, 399, 423, 435, 443, 553, 583, 584.
288	Introduced by Stromnes: A Bill for an Act entitled: "An Act to amend Section 6733, Revised Codes of Montana, 1935, relating to the power of alienation and the suspending thereof; and providing the period of time that the power of alienation may be suspended."	233, 355, 399, 423, 424, 440, 553, 583, 584.
289	Introduced by Metlen: A Bill for an Act entitled: "An Act to amend Section 2214.2 of the Revised Codes of Montana, 1935, as amended by Chapter 132 of the Laws of Montana, Twenty-fifth Session, 1937, relating to the validating and legalizing of tax deeds, notwithstanding errors committed in the procedure provided by law for taking tax deeds."	233, 318, 337, 343, 346, 368, 512, 536, 537.

No.	Title of Bill	Page
290	Introduced by Metlen: A Bill for an Act entitled: "An Act requiring the designation by county officers of a chief deputy and to provide for the orderly conduct of county offices during the interim between the occurrence of a vacancy therein and the filling thereof, by a new section to be designated Section 4733.1 of the Revised Codes of Montana, 1935."	233, 324.
291	Introduced by Anderson (Phillips) and Woods: A Bill for an Act entitled: "An Act to amend Section 1200.4 of the Revised Codes of Montana, 1935, as amended by Chapter 38 of the Session Laws of 1937, creating a State Public School General Fund and providing for the disposal of school moneys."	234, 386, 393, 402, 406, 411, 421, 436, 578, 583, 584.
292	Introduced by Berthot: A Bill for an Act entitled: "An Act validating all sales of property heretofore made by the Board of County Commissioners of any County, the title to which was at the time of such sale held by the County for use by any High School or High Schools of the County where the provisions of Section 4465.9, Revised Codes of Montana, 1935, have been complied with by such County Commissioner."	234, 268, 284, 309, 312, 317, 512, 524, 537.
293	Introduced by Anderson (Phillips) and Woods: A Bill for an Act entitled: "An Act relating to liability of counties for torts of its officers and employees."	234, 287, 355, 399, 417, 421, 437, 512.
294	Introduced by McLeod: A Bill for an Act entitled: "An Act authorizing and directing the State Board of Land Commissioners or any other authority created by the Laws of the State of Montana for the purpose of acquiring and caring for areas, sites and objects of historic value to the State, to accept titles in the name of the State of Montana to Fort Benton and/or Fort Shaw if such title or titles hereafter be granted to said Board of Land Commissioners or other authority; authorizing said State Board of Land Commissioners or other authority to create State historical monuments out of said Fort Shaw and/or Fort Benton, to restore and preserve said Fort Shaw and/or Fort Benton as historical sites and for that purpose, make application to the United States Public Works Administration or to the Works Progress Administration or for assistance through a Civilian Conservation Corps Camp and to accept any donation, gift or devise for said purpose."	234, 311.

No.	Title of Bill	Page
295	Introduced by McLeod, Murray and Anderson (Cascade): A Bill for an Act entitled: "An Act to amend Sections 2343.1 and 2343.3 of the Revised Codes of Montana of 1935, as amended by Chapter 83 of the Laws of 1937, relating to electrical energy producer's license tax and the distribution of said tax."	234, 286, 287.
296	Introduced by McLeod, Murray and Anderson (Cascade): A Bill for an Act entitled: "An Act to amend Section 6112 of the Revised Codes of Montana, 1935, relating to the license fee of insurance corporations, associations and societies."	235, 397.
297	Introduced by Morrison, by request: A Bill for an Act entitled: "An Act to appropriate money for the payment of certain claims arising out of the construction of the Student and Faculty Resident Hall at the Montana State School of Mines, Butte, Montana."	235, 285.
298	Introduced by Stevens: A Bill for an Act entitled: "An Act to provide for the raising of revenue for emergency purposes; to equalize, replace and substitute taxation for the maintenance of Old Age Pensions within the State by imposing taxes on the gross receipts from the retail sales of certain commodities, admissions, and services as defined herein; to provide permits to retailers; to provide for the ascertainment, levy, assessment, and collection of such tax, the distribution and use of the revenue derived therefrom and the administration of said law; to provide certain deductions and exemptions; establishing a lien for the payment of said tax; to provide fines and penalties for the violation of the provisions of the Act; to repeal all laws, or parts of laws in conflict herewith, and providing a referendum of said Act and providing the time when said Act shall be in full force and effect."	235, 421.
299	Introduced by Hammond and Clark: A Bill for an Act entitled: "An Act providing for the re-appraisal of State lands when a certificate of purchase has been previously issued; to provide that by reason of said re-appraisal certain credits shall be allowed upon the purchase price thereof; to authorize the State Land Board to remit penalties and interest which may have accrued upon delinquent payments due upon the certificate of purchase thereof; and to repeal all Acts and parts of Acts in conflict herewith."	235, 276, 290, 328, 339, 344, 346, 368, 561, 579, 580.
300	Introduced by Stevens: A Bill for an Act entitled: "An Act to provide for the raising of revenue for the payment of Old Age Pensions by imposing a tax upon the privilege of engaging in the business	

No.	Title of Bill	Page
	of retailing tangible personal property; by imposing a tax upon the privilege of engaging in business involving admission tickets, charges, and fees to places of amusement and athletic events and imposing a tax upon transactions involving services of gas, electricity, water, communication and transportation; providing for the levy, assessment, computation, and collection of such tax and its disposition; providing for certain refunds, exemptions and deductions; defining terms; prescribing duties and powers of the State Board of Equalization for the operation and enforcement of this Act; prescribing penalties for the violation of the provisions of this Act, and repealing all Acts and parts of Acts in conflict herewith.".....	235, 420.
301	Introduced by Stevens: A Bill for an Act entitled: "An Act for the payment of Old Age Pensions; establishing a State Old Age Pension Commission; defining the qualifications of those entitled to receive Old Age Pensions; providing for the administration of said Act; providing for forms of applications; providing funds for the State Old Age Pension Commission and establishing a special fund known as the State Old Age Pension Fund; providing that aid from the United States government in furtherance of this Act be placed in said fund; providing for eligibility to receive pensions; providing for the residence of applicants, and change of residence; providing for the expenses incurred in carrying out the provisions of the Act; prohibiting assignments of grants; repealing all Acts and parts of Acts in conflict herewith."	235, 330, 331.
302	Introduced by Lambert and Ekern: A Bill for an Act entitled: "An Act relating to the licensing of slot machines; defining slot machines; providing the manner of licensing; allowing cities, towns, and counties to license slot machines in addition to a state license; and for the disposition of fees; prohibiting the operation of slot machines without a license; prohibiting allowing minors to play such machines; providing penalties for the violation of this Act; repealing all Acts and parts of Acts in conflict herewith."	235, 420.
303	Introduced by Kirscher by request: A Bill for an Act entitled: "An Act providing for certain reports to be made by all holders of land in which the State of Montana has an equity, and repealing all Acts and parts of Acts in conflict therewith."	239, 363, 400, 405, 408, 428, 487.
304	Introduced by D'Ewart: A Bill for an Act entitled: "An Act to amend Sections 3745, 3746, 3747, 3748, 3749 and 3750 of the Revised Codes of Montana, 1935."	239, 325, 335.

No.	Title of Bill	Page
305	Introduced by Hess by request: A Bill for an Act entitled: "An Act to establish minimum wages for employees of Montana Liquor Control Warehouse; providing for the establishment of seniority roster to protect the rights of those employed by the Montana Liquor Control Warehouse; and, providing for the fair and impartial hearing of anyone about to be dismissed from employment from the warehouse of the Montana Liquor Control Board."	239, 264, 280, 357.
306	Introduced by Beck: A Bill for an Act entitled: "An Act providing for establishment by the State Department of Agriculture of State grades and standards for milk and cream obtained from producers for commercial use; regulating the purchase and handling of such milk and cream and requiring proper grading thereof; establishing State consumer grades for butter and requiring grading and labeling in accordance therewith of butter sold to consumers and retailers; regulating the sale of butter; providing for grade emblems; providing for licensed butter grades, the fees for their licenses and revocation of; providing for the enforcement hereof; defining 'person,' 'unlawful milk or cream,' 'butter distributor,' 'department,' 'milk and cream'; providing for enforcement and penalties; making an appropriation; declaring an emergency."	239, 330, 378, 411.
307	Introduced by Beck: A Bill for an Act entitled: "An Act to amend Section 2634.1 of the Revised Codes of Montana, 1935, relating to egg dealers' license fees; to amend Section 2634.5 of the Revised Codes of Montana, 1935, relating to a certificate of candling; to amend Section 2634.6 of the Revised Codes of Montana, 1935, defining eggs unfit for human consumption; to amend Section 2634.7 of the Revised Codes of Montana, 1935, relating to the importation of eggs; to amend Section 2634.8 of the Revised Codes of Montana, 1935, relating to notice to purchaser of grade of eggs; to amend Section 2634.9 of the Revised Codes of Montana, 1935, relating to content of invoice; to amend Section 2634.11 Revised Codes of Montana, 1935, relating to penalties; adding a new Section to the Revised Codes of Montana, 1935, to be known as Section 2634.12, relating to the Montana State egg seal; adding a new Section to the Revised Codes of Montana, 1935, to be known as Section 2634.13, relating to licensed egg graders; adding a new section to the Revised Codes of Montana, 1935, to be known as Section 2634.14, relating to revocation of licenses; and repealing all Acts and parts of Acts in conflict herewith."	240, 346, 383, 407.
308	Introduced by Padbury and Dunn: A Bill for an Act entitled: "An Act relating to the dairy industry, declaring the public policy of this State	

No.	Title of Bill	Page
	to promote the expansion of the dairy industry by promoting the increased use of dairy products by providing for research and publicity advertising and sales promotion campaign; to increase the consumption of Montana dairy products; levying an excise tax on dairy products and providing for its collection; providing for the powers, duties and authority of the Commissioner of Agriculture, Labor and Industry; providing penalties for the violation of this Act; providing for an appropriation; and providing that this Act shall take effect April 1st, 1939."	240, 325.
309	Introduced by Hammond, Cannon and Malee: A Bill for an Act entitled: "An Act to amend Section 3722 of the Revised Codes of Montana, 1935, relating to protection of beaver and beaver licenses and taking, and repealing all laws in conflict herewith."	240, 398, 419, 458.
310	Introduced by Long: A Bill for an Act entitled: "An Act to clarify existing laws and declare the policy of this state respecting the eligibility for the appointment of State officers or employees; and making a person who holds one office or position or employment for remuneration with the State of Montana, or any subdivision thereof or any municipality or the United States, ineligible for any other office or employment in this State:"	240, 264, 296.
311	Introduced by Cannon: A Bill for an Act entitled: "An Act relating to motor vehicle dealers' license tax, providing rates, computation of tax, reports and payment to County Treasurer, disposition of proceeds, and penalty for violation thereof."	240, 341.
312	Introduced by Moss (Custer), by request: A Bill for an Act entitled: "An Act to regulate the practices of professional engineering and land surveying; creating a State Board of Registration for professional engineers and land surveyor's; defining its powers and duties; imposing certain duties upon the State and political subdivisions thereof in connection with public work; and providing penalties."	240, 349.
313	Introduced by Beck, DeDobbeleer, Hess and Tyler: A Bill for an Act entitled: "An Act to appropriate money from the General Fund from the Treasury of the State of Montana for the use and benefit of the Montana State College located at Bozeman, Montana; providing for the erection and equipping of additional housing facilities on the campus; providing that the additional housing facilities shall be operated by the students of the college on a cooperative plan; providing a name for the cooperative association and repealing Chapter 94 of the Laws of 1929, designated in	

No.	Title of Bill	Page
	the Revised Codes of Montana, 1935, as being Sections 836.1 to 836.6 inclusive."	240, 281.
314	Introduced by Sorte and Armstrong: A Bill for an Act entitled: "An Act creating a Veterans' Memorial Fund Commission; providing for the appointment and compensation of Commissioners; defining duties of the Commission; providing for the Commission's control of the Veterans' Memorial Fund; providing for the construction and maintenance of a Veterans' Memorial Building."	241, 320, 341, 364, 372, 387, 537, 545, 546, 547.
315	Introduced by Siegling and Horrigan: A Bill for an Act entitled: "An Act providing for the licensing, regulation and control of games of chance and gambling with cards or other gambling devices; providing for a House Gambling license and for a Game or Table license, and granting to the Montana Liquor Control Board certain powers for the enforcement of this Act; making certain Acts illegal and providing penalties therefore; prohibiting minors from entering gambling houses, and providing penalties for a violation; fixing the amount of license fees to be paid for said license; providing for the disposal of the proceeds of licenses and fees collected by the board; permitting cities, towns and counties to levy a license tax in addition to the State license herein provided; declaring an emergency to exist, and providing for local option by cities, towns or counties permitting thirty-five percent, (35%) of the qualified electors by petition to require an election and by a majority vote at such election to suspend and prohibit games of chance in such city, town or county; and repealing acts in conflict herewith."	241, 420.
316	Introduced by Smith and Morrison: A Bill for an Act entitled: "An Act defining and regulating the practice of professional engineering in the State of Montana; providing for the creation of the State Board of Registration for professional engineers and prescribing their powers and duties, terms of office, qualifications and for payment of thir compensation and expenses out of the "professional engineering fund" as provided in this law; providing for removal of members of the board for cause; providing for creation of 'professional engineers fund' and appropriating money therefrom; prescribing requirements for registration of professional engineers; providing for registration fees and for examinations of applicants for certificate of registration and for issuance and use of certificates and seals; providing for issuance of renewal certificates on payment of renewal fees; providing that a firm, co-partnership, corporation or joint stock association may	

No.	Title of Bill	Page
	engage in the practice of professional engineering in this state provided such practice is carried on by only professional engineers registered in this state; providing for issuance, within one year after this Act becomes effective, of certificates, on certain conditions, to residents of Montana practicing professional engineering in Montana at the time this Act becomes effective; providing that after May 1, 1939, it shall be unlawful for this State, or any of its political subdivisions, or any county, city or town to engage in the construction of public work involving professional engineering, unless plans, specifications and estimates have been prepared for the construction to be executed under direct supervision of a registered professional engineer, provided that such provision shall not apply to any public work wherein the contemplated expenditure for a completed project does not exceed Three Thousand Dollars (\$3,000.00); providing for certain exemptions; prescribing certain reciprocity provisions for professional engineers holding certificates of registration as such issued under authority of National Council of State Boards of Engineering Examiners, or National Bureau of Engineering registration, or any state or territory or possession of the United States, or any country, under certain conditions; providing the grounds on which the board may revoke certificates of registration and for hearings on such charges; providing for suit against the board in certain district courts to annul or vacate order of the board revoking certificates of registration; defining as a misdemeanor certain acts committed after the first day of May, 1939, prescribing the penalties for such violations and that each day of such violation shall be a separate offense; prescribing duties of the board in connection with enforcement of provisions of this Act and duties of an Attorney General and his assistants as legal advisors of the board, declaring certain Legislative intent in respect to this Act; repealing conflicting laws, provided, however, that this Act shall not be construed as repealing or amending any law affecting or regulating licensed State Land Surveyors and that licensed Land Surveyors in performing their duties as such shall not be subject to the provisions of this Act; and further providing that this Act shall not be construed to affect or prevent the practice of any other legally recognized profession by members of such profession licensed by the State and declaring an emergency."	241, 349, 363.
317	Introduced by Beck and DeDobbeleer: A Bill for an Act entitled: "An Act providing for the stabilization of prices on dairy products, poultry products, fruits and vegetables; setting up standards of fair competition in such products; providing for the	

No.	Title of Bill	Page
	duties of the Commissioner of Agriculture, Labor and Industry under this Act; and providing penalties for violation of the Act."	242, 326, 354, 390, 405, 424, 435, 553, 568, 573, 628.
318	Introduced by Sullivan: A Bill for an Act entitled: "An Act to amend Section 5110 of the Revised Cods of Montana, 1935, relating to Fire Departments and Compensation of members thereof, by including in the membership thereof a city machinist and assistant city machinists, and repealing all Acts in conflict herewith."	242, 268.
319	Introduced by Malee et al: A Bill for an Act entitled: "An Act to appropriate money from the State General Fund for the State Highway Commission to pay for advertising of national scope and character in newspapers, magazines and in pamphlet form describing recreational and vacation advantages of Montana."	242, 379, 380, 393, 398, 400, 441, 448, 450, 578, 580, 582, 602, 603.
320	Introduced by Hammond, Melin, Martin and Hoiness: A Bill for an Act entitled: "An Act relating to libraries and providing for the creation of joint county or regional libraries, the manner of their creation, the method by which funds shall be handled, providing for a Board of Trustees, the manner in which expenditures may be made; and providing that the counties shall levy a tax for the support of said library."	242, 309, 341, 364, 377, 408, 426, 528, 545, 546, 547.
321	Introduced by Martin: A Bill for an Act entitled: "An Act to establish minimum hours of labor for registered nurses; conforming to the Constitutional Amendment, amending Section Four (4) of Article 18 of the Constitution of the State of Montana; fixing who shall be held responsible for the compliance of this Act; providing penalty for the violation of this Act; and, repealing all Acts and parts of Acts not consistent herewith."	242, 277, 282, 304.
322	Introduced by Malee et al: A Bill for an Act entitled: "An Act to appropriate money for the Department of Agriculture, Labor and Industry, division of labor and publicity, for the use of the Montana Commission for the Golden Gate International Exposition, in staffing, maintaining and advertising a Montana exhibit at the Golden Gate International Exposition."	242, 379, 406, 420, 424, 430, 578, 580, 582, 586, 587, 620, 633.

No.	Title of Bill	Page
323	Introduced by Murray, by request: A Bill for an Act entitled: "An Act to amend Section 1783 of the Revised Codes of Montana of 1935, relating to the State Highway Commission—creation—salary—bonds—term of office."	242, 346, 378, 423, 435, 442.
324	Introduced by Williams: A Bill for an Act entitled: "An Act licensing persons engaged in pruning trees and shrubbery and engaged in tree surgery; establishing an examining board and defining its powers and duties; fixing fee for licenses; declaring violations of this Act to be a misdemeanor and fixing punishment therefor; and providing for the uses of fees collected hereunder."	243, 271, 286, 328, 360, 370.
325	Introduced by Committee on State Boards and Offices: A Bill for an Act entitled: "An Act to authorize the Department of Agriculture, Labor and Industry, through the division of Labor and Publicity to assist and co-operate in the enforcement of the Fair Labor Standards Act of 1938, and providing for reimbursement by Federal Agencies for the cost of such assistance and cooperation."	243, 264, 280, 293, 302, 315, 461, 473, 537.
326	Introduced by Committee on Education: A Bill for an Act entitled: "An Act to repeal Chapter Number 96 relating to rural school districts."	243, 335, 383, 407, 409, 417, 423.
327	Introduced by Aronson, by request: A Bill for an Act entitled: "An Act concerning Gambling Games and Gambling Devices; providing for the operation thereof under duly issued licenses by the Montana Liquor Control Board; providing for certain license fees and the distribution of the money obtained therefrom; prohibiting persons under the age of twenty-one years from playing at or loitering about any such games or from entering or being permitted to enter any house, room, or premises wherein any gambling games or gambling devices are operated or conducted; providing penalties for the violation of the provisions of this Act and repealing all Acts or parts of Acts in conflict herewith."	243, 412.
Sub. 327	A Bill for an Act entitled: "An Act to regulate, license, authorize and control games of chance, gambling games and gambling devices; providing for the operation thereof under licenses duly issued by the Montana Liquor Control Board; providing for a license tax and fixing the amount thereof; granting to the Montana Liquor Control Board certain powers for the enforcement of this Act; prohibiting persons under the age of majority	

No.	Title of Bill	Page
	from playing at or loitering about such games or from entering or being permitted to enter any house, room or premises wherein any gambling games or gambling devices are operated or conducted; permitting cities, towns and counties to levy a license tax in addition to the State Licenses herein provided for; defining certain words and terms used in this Act; prescribing the hours during which games may be played; providing for the suspension and revocation of licenses; authorizing the Montana Liquor Control Board to prescribe and promulgate rules and regulations with statutory effect and granting to said board the power to strictly regulate and control licenses and licensees; providing for hearings by the board and appeals from decisions thereof; providing for the allocation of license fees; providing penalties for the violation of this Act; declaring this Act to be an emergency measure and repealing all Acts and parts of Acts in conflict herewith."	412, 442, 458, 459.
328	Introduced by Williams: A Bill for an Act entitled: "An Act licensing public sprayers, fixing the fee therefor, prescribing the powers and duties of the Division of Horticulture, fixing the punishment for violations of this Act and providing for uses of the fee."	243, 271, 286, 327, 333, 343, 360, 371, 410.
329	Introduced by Duncan: A Bill for an Act entitled: "An Act providing that persons eligible for jury duty in the State of Montana shall pay road taxes and poll taxes in counties and cities or towns of the State of Montana."	243, 319, 337, 343, 344, 346, 368.
330	Introduced by Bjerneby: A Bill for an Act entitled: "An Act to amend Section 8899 of the Revised Codes of Montana 1935, relating to the duty of the Clerk of the Court in preparing the jury box; amending Section 8904 of the Revised Codes of Montana 1935, as amended by Chapter 151 of the Laws of 1937, and Sections 8906, 8907, Revised Codes of Montana, 1935, relating to the drawing of jurors."	243, 325.
331	Introduced by Hammond, Melin, Martin and Hoiness: A Bill for an Act entitled: "An Act to appropriate money for the use of the Montana State Library Extension Commission for the administration of said commission, including incidental expenses and a fund to be used in aiding libraries in the State of Montana."	243, 335, 377, 401, 419, 442, 448, 449, 528.

INDEX TO HOUSE BILLS

No.	Title of Bill	Page
332	Introduced by Gebhardt and Hoiness: A Bill for an Act entitled: "An Act relating to the certification of librarians in the State of Montana and providing that the Library Extension Commission, the Secretary of the Commission, and a librarian appointed by the Governor shall have authority to grant certificates to Librarians after examination, and providing the fee to be charged applicants for a certificate and the deposit of such fees with the State Treasurer."	243, 357, 358, 399, 419.
333	Introduced by Sorte: A Bill for an Act entitled: "An Act to appropriate money for the payment of certain claims for refund of taxes erroneously paid into the State Treasury."	244, 435.
334	Introduced by Anderson (Phillips), by request: A Bill for an Act entitled: "An Act relating to certain city electricians in cities of the first and second classes; providing for their employment, term of office and trials for misconduct and malfeasance in office, and repealing all Acts and parts of Acts in conflict therewith."	244, 328, 341, 361, 377, 379.
335	Introduced by Cole (Petroleum), by request: A Bill for an Act entitled: "An Act to amend Section 9429 of the Revised Codes of Montana, 1935, relating to the exemption of a judgment debtor for debts incurred for necessities."	244, 318, 337, 343, 360, 370, 512, 524, 589.
336	Introduced by Listug: A Bill for an Act entitled: "An Act to amend Section 4175 of the Revised Codes of Montana, 1935, defining wage brokers and repealing all Acts and parts of Acts in conflict herewith."	244, 349, 383, 407, 458.
337	Introduced by Malee: A Bill for an Act entitled: "An Act to amend Section 2396.3 of the Revised Codes of Montana of 1935, as amended by Chapter 102 of the Session Laws, Twenty-fifth Legislative Assembly of Montana, providing for the determination and use of and distribution of the State Highway Fund for construction purposes."	244, 364.
Sub. 337	"An Act to amend Section 2396.3 of the Revised Codes of Montana of 1935 as amended by Chapter 102 of the Session Laws, Twenty-fifth Legislative Assembly of Montana, providing for the determination and use of and distribution of the State Highway Fund for construction purposes."	364, 400, 423, 433, 448, 450, 537, 568, 573, 589.

INDEX TO HOUSE BILLS

ci

No.	Title of Bill	Page
338	Introduced by Smith: A Bill for an Act entitled: "An Act authorizing cities and towns to transfer funds and make adjustments between funds to remove inactive accounts from the city records, and repealing all Acts and parts of Acts in conflict herewith."	244, 295, 318, 339, 344, 388, 512, 524, 525, 537.
339	Introduced by McKenna: A Bill for an Act entitled: "An Act relating to the appointment of an Assistant Adjutant General of the State of Montana; providing for his qualifications, and relating to the duties of such office."	244, 264.
340	Introduced by Smith, Hoiness, Stafford and Brown, by request: A Bill for an Act entitled: "An Act to provide for the appointment of a temporary commission for the study of proposed uniform State laws, defining its duties and making an appropriation therefor."	244, 264, 281.
341	Introduced by Goodwin: A Bill for an Act entitled: "An Act to amend Section 1741.11, Revised Codes of Montana, 1935, as amended by Chapter 182, the Laws of the Twenty-fifth Legislative Assembly."	244, 318.
342	Introduced by Hess, Melen, Martin, DeDobbeleer and McGee: A Bill for an Act entitled: "An Act relating to and regulating the sale of olemargarine; defining olemargarine and a retailer and a wholesaler thereof; providing for and fixing the amount of license to sell or exchange oleomargarine and for the revocation thereof; providing for quarterly report to the Department of Agriculture, Labor and Industry by persons handling oleomargarine; levying a tax per pound on oleomargarine handled, and providing for stamps and the manner of collecting such tax; providing for bond to be furnished by wholesaler; providing for the redemption of unused stamps; designating the disposition of funds; fixing a penalty; providing for the enforcement of this Act and repealing all Acts in conflict."	244, 266, 398, 419, 452.
343	Introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act requiring every person, firm, co-partnership, association, joint stock company, syndicate and corporation engaging in or carrying on the business of producing natural gas within this State, or engaged in or carrying on the business of owning, controlling, managing, leasing or operating within this State, any system or plant for the production of natural gas within this State, shall pay to the State Treasurer for engaging in or carrying on such business certain license fees for the exclusive use and	

No.	Title of Bill	Page
	benefit of the State of Montana; fixing the amount of such license fees; prescribing a method for the assessment and collection thereof; and prescribing a lien on the property of such operators to ensure payment of the tax."	245, 336.
344	Introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Section 2239 of the Revised Codes of Montana, 1935, relating to the duty of County Treasurers with respect to the collection of taxes on personal property not secured by a lien on real property.".....	245, 336, 383, 407, 409, 428, 512, 536, 537.
345	Introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to authorize the State Board of Equalization of the State of Montana to make request of the United States for the payment of sums in lieu of taxes: To authorize the State Board of Equalization to consummate agreements with the United States for the performance of services by the State for the benefit of projects, as defined herein, and for the payment by the United States of sums in lieu of taxes; and to provide for the deposit of payments of sums in lieu of taxes."	245, 318, 337, 343, 346, 368, 512, 518, 537.
346	Introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to authorize the Board of County Commissioners of any County in this State to make request of the United States for the payment of sums in lieu of taxes; to authorize the said board to consummate agreements with the United States for the performance of services by the county and the political subdivisions of the State therein for the benefit of a project, as defined herein, and for the payment of sums in lieu of taxes by the United States; to provide for the notification to such subdivisions of the consummation of such agreements; to provide for the deposit and distribution of payments of sums in lieu of taxes; to authorize certain political subdivisions to make request of the United States for the payment of sums in lieu of taxes and to enter into agreements with the United States, in their own names, for the performance of services for the benefit of a project, as defined herein, and for the payment of sums in lieu of taxes by the United States; and to provide for the establishment of the 'Government Project Fund'."	245, 319, 341, 364, 372, 393, 512, 524, 525, 537.
347	Introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Sec-	

No.	Title of Bill	Page
	tion 2091.1 of the Revised Codes of Montana, 1935, relating to taxation and payment on royalty interests on the production of petroleum and natural gas, and production from metalliferous mines, and providing the method of assessment of each class of royalty interests."	245, 336, 383, 407, 409, 427, 528, 545, 546.
348	Introduced by Parker (Flathead) and Armstrong: A Bill for an Act entitled: "An Act to provide for the disposition of estates of deceased persons, or portions thereof, passing by succession, or testamentary disposition, to citizens of foreign countries, whose laws would not permit the free disposition of like estates, or portions thereof, under like circumstances, to a citizen or citizens of the United States."	245, 401.
349	Introduced by Metlen: A Bill for an Act entitled: "An Act authorizing and directing the State Board of Examiners of the State of Montana to purchase additional lands for campus purposes at the Normal College at Dillon, Montana, and appropriating money for the payment of the price of said land."	246, 304.
350	Introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act requiring licenses for the operation, maintenance, opening or establishment of stores in this State, the classifying of such stores, prescribing the license and filing fees to be paid therefor and the disposition thereof, and the powers and duties of the State Board of Equalization in connection therewith; and prescribing penalties for the violation thereof and repealing Sections 2420.1, 2420.2, 2420.3, 2420.4, 2420.5, 2420.6, 2420.7, 2420.8, 2420.9, 2420.10 2420.11 Rvised Codes of Montana, 1935."	246, 336, 383, 423, 435, 442, 553, 589.
351	Introduced by Malee: A Bill for an Act entitled: "An Act to amend Sections 3685 and 3685.3, Revised Codes of Montana, 1935, relating to the classes of licenses for hunting and taking game and fish and fur-bearing animals within the State of Montana; the fees and powers under such licenses; and repealing all Acts and parts of Acts in conflict therewith."	246, 336, 399, 405, 421, 439, 561, 568, 574, 628.
352	Introduced by Moss (Custer): A Bill for an Act entitled: "An Act providing for the registration of motor vehicles hauling merchandise or property on the public roads and highways of the State of Montana; defining hauling merchandise or property for purposes of this Act; providing such	

No.	Title of Bill	Page
	motor vehicles be equipped with milimeters; providing the weighing of motor vehicles and checking milimeters by the State Highway Commission of Montana; providing for reports to be filed on a mile basis; and payment of fees thereon; providing for the disposition of fees; providing for checking stations and other facilities necessary for the enforcement of this Act; fixing duties of the State Highway Commission and authority of the checkers; providing exemptions hereto; providing penalties for violation of the provisions of this Act."	246, 312, 356.
353	Introduced by Freshman: A Bill for an Act entitled: "An Act relating to the licensing of slot machines; defining slot machines; providing the manner of licensing; allowing cities, towns and counties to license slot machines in addition to a State License; and for the disposition of fees; prohibiting the operation of slot machines without a license; prohibiting allowing minors to play such machines; providing penalties for the violation of this Act; declaring an emergency to exist; repealing all Acts and parts of Acts in conflict herewith."	246, 418.
Sub. 353	A Bill for an Act entitled: "An Act relating to the licensing of slot machines; defining slot machines; providing the manner of licensing; allowing cities, towns, and counties to license slot machines in addition to a state license; and for the disposition of fees; prohibiting the operation of slot machines without a license; prohibiting those under the age of majority to play such machines; providing penalties for the violation of this Act; repealing all Acts and parts of Acts in conflict herewith."	418, 442.
354	Introduced by Kellogg: A Bill for an Act entitled: "An Act relating to licensing and bonding of persons, firms, co-partnerships, corporations and associations contracting for purchase of mustard seed prior to harvesting same, defining the powers and duties of the Commissioner of Agriculture, designating the disposition of fees, and providing penalties for violations thereof."	246, 271, 286, 327, 330, 352, 475, 495, 496, 565.
355	Introduced by Long: A Bill for an Act entitled: "An Act providing for a license to be paid by all persons, firms and corporations engaged in the business of banking in this state or who may hereafter be engaged in such business; fixing the amount of such license; specifying the manner of collection thereof, disposition of funds, and a penalty for a violation of this Act."	246, 264.

No.	Title of Bill	Page
356	Introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act authorizing the issuance of bonds of the State of Montana to refund capitol building bonds of said State and held by the State Board of Land Commissioners, and providing for the payment thereof."	247, 376, 406, 411, 416, 418, 433, 442, 445, 528, 531, 543, 561, 568, 575, 602, 603.
357	Introduced by Hess and James: A Bill for an Act entitled: "An Act relating to life, health and accident insurance companies who issue group insurance policies and certificates; and repealing all Acts and parts of Acts in conflict herewith."	247, 357, 400, 423, 435, 443, 561, 579. 580.
358	Introduced by Lippard: A Bill for an Act entitled: "An Act providing for the qualifications of the Adjutant General of Montana."	247, 382, 406, 447, 448, 451, 561, 589.
359	Introduced by Antrim by request: A Bill for an Act entitled: "An Act to amend Section 3691 of the Revised Codes of Montana, 1935, relating to animals which may be hunted without license, and persons not required to have a license."	247, 305, 326, 343, 364, 372, 394, 537.
360	Introduced by Malee: A Bill for an Act entitled: "An Act to amend Sections 3650, 3651, 3652 and 3675 of the Revised Codes of Montana, 1935, providing the creation of a Fish and Game Commission for the State of Montana; fixing the number of Commissioners thereof; dividing the State into Commissioner Districts and fixing boundaries and areas thereof; providing for the appointment of commissioners; prescribing their qualifications; providing for the organization and operation of said commission; providing for legal advice and prosecution of actions for the violation of the Fish and Game Laws and the payment of costs thereof; and repealing all Acts and parts of Acts in conflict herewith."	247, 336, 399, 417, 420, 439, 601.
361	Introduced by Cannon and Malee: A Bill for an Act entitled: "An Act relating to the sale and possession of salmon or other fish eggs, salmon or other fish spawn, imitations thereof, substances prepared therefrom, and permitting the use thereof."	247, 306, 326, 343, 346, 374.
362	Introduced by Lippard, Woods and Reed: A Bill for an Act entitled: "An Act to amend Sections 4525	

No.	Title of Bill	Page
	and 4526, Revised Codes of Montana, 1935, relating to contracts for care of poor, sick, and infirm, and Section 4527 Revised Codes of Montana, 1935, relating to contracts for medicines and medical attendance, and duties of physicians and surgeons thereunder, to harmonize said sections as amended and to repeal Section 4529, Revised Codes of Montana, 1935, and to establish under the authority and direction of the several boards of County Commissioners in the State a plan for adequate medical, surgical and hospital service in each county within the amounts lawfully budgeted therefor and to insure as far as possible free choice of physicians and surgeons within the limitations of the Act, and prescribing the conditions for all said matters, and the duties of physicians and surgeons in the several counties of the State with reference to the county poor and those entitled to medical and surgical service at the county expense, and prescribing the duties of the State Board of Health in connection herewith."	247, 403.
363	Introduced by Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money for the operation, maintenance and other purposes, as designated herein, for all State Departments, Boards, Bureaus, Commissions and Institutions, for the period beginning July 1, 1939, and ending June 30, 1941."	247, 254, 286, 309, 344, 375, 586, 587, 592, 619, 631, 632, 636.
364	Introduced by Antrim by request: A Bill for an Act entitled: "An Act providing for the levy of taxes for the support of Common schools amending Section 1202 to provide a common school levy of not to exceed twelve mills per dollar, on the taxable property within the county; and amending Section 1203 relating to a Special School Tax to provide a tax levy of not to exceed six mills, on the taxable property of the school district; and amending Sections 1219 and 1222 to conform; and repealing all Acts and parts of Acts in conflict herewith."	247, 336.
365	Introduced by McGee: A Bill for an Act entitled: "An Act creating a State Commission for the study of occupational diseases to be known as 'the State Commission for the study of occupational diseases'; providing for the appointment of members of said commission and prescribing their powers and duties; providing the compensation and expenses of members of said commission, their term and tenure of office; providing for the effective date of this Act, creating a fund and making an appropriation therefor and repealing all Acts in conflict herewith."	248, 392, 402.

No.	Title of Bill	Page
366	Introduced by Bower: A Bill for an Act entitled: "An Act to amend Section 3776.7, Revised Codes of Montana, 1935, relating to the establishment and description of Little Saint Joe Game Preserve.".....	248, 306, 326, 343, 360, 373, 528, 531, 541, 562, 563.
367	Introduced by McGee: A Bill for an Act entitled: "An Act to amend Section 2620.16, Revised Codes of Montana, 1935, relating to the licensing of creameries, butter factories, cheese factories and ice cream factories; providing the fees that shall be paid for such licenses, and providing that such creameries, butter factories, cheese factories and ice cream factories shall furnish a surety bond to secure payment for all milk, cream or other dairy products purchased."	248, 326.
368	Introduced by Laubach: A Bill for an Act entitled: "An Act providing for the appointment and removal of a Game Manager by the State Fish and Game Commission, and prescribing his qualifications; providing for his oath and bond; providing for his salary; prescribing his powers and duties; providing for the employment of assistants and employees of the Game Manager; and repealing all Acts and parts of Acts in conflict herewith.".....	248, 306.
369	Introduced by Smith and Watson: A Bill for an Act entitled: "An Act to amend Section 556, Revised Codes of Montana, 1935, relating to the registration of electors who are infirm or residing more than ten (10) miles distance from the office of the County Clerk; and providing for the registration of persons who are temporarily absent from the State."	248.
370	Introduced by Bjorneby: A Bill for an Act entitled: "An Act providing that there shall be an implied warranty on household electrically driven appliances by the seller of used articles."	248, 337.
371	Introduced by Collins by request: A Bill for an Act entitled: "An Act to amend Sections 4 and 28 of Chapter 84 of the Session Laws of the Twenty-fifth Legislative Assembly, 1937, relating to licensing the sale of liquor at retail in the State of Montana; the fees to be paid by the retailer thereof and providing for the licensing of liquor retailers by city and town councils and boards of county commissioners, and fixing the fees of such licensing; providing for distribution of county license fees collected; and repealing all Acts and parts of Acts in conflict herewith."	248, 396, 397, 419, 454.
372	Introduced by Goodwin and Hoiness: A Bill for an Act entitled: "An Act to amend Chapter 82 of	

No.	Title of Bill	Page
	the Laws of the Twenty-fifth Legislative Session of 1937, relating to public welfare, by adding thereto a new part to be known as Part IX relating to payments to persons who have silicosis, as herein defined; providing eligibility requirements; providing medical examinations and procedure for determining who are entitled to such payments and providing administration by State Department of Public Welfare and the County Departments of Public Welfare, and prescribing their powers and duties."	248, 402, 424, 452, 457, 458, 578, 580, 582, 628.
373	Introduced by Judiciary Committee: A Bill for an Act entitled: "An Act to amend Sections 9399 and 9400, Revised Codes of Montana, 1935, relating to motion for new trial, abolishing notices of intention of motion for new trial, and regulating proceedings on motion, hearings and record thereon."	249, 385, 406, 420, 435, 443, 583.
374	Introduced by McKenna, Hoiness, O'Connor, Sorte and DeDobbeleer: A Bill for an Act entitled: "An Act relating to transferring money or personal property not to exceed in value the sum of Two Hundred Fifty Dollars, to a minor by delivery to the parent of said minor, and effect thereof."	249, 348.
Sub. 374	"An Act relating to transferring money or personal property not to exceed in value the sum of one hundred dollars, to a minor by delivery to the parent of said minor, and effect thereof."	348, 383, 411, 416, 429, 497.
375	Introduced by Employment Committee: A Bill for an Act entitled: "An Act providing the manner in which employees of the House of Representatives shall be selected."	249, 391.
Sub. 375	A Bill for an Act entitled: "An Act providing the manner in which employees of the House of Representatives shall be selected."	391, 409, 447, 448, 451.
376	Introduced by Goodwin: A Bill for an Act entitled: "An Act relating to the closed and open season for the killing and taking of elk in Lincoln County, State of Montana, providing for the powers and duties of the Montana State Fish and Game Commission relative to the conditions of this Act, making violation of this Act a misdemeanor, providing a penalty for such violation."	249, 306.
377	Introduced by Committee on Education: A Bill for an Act entitled: "An Act providing uniform transportation services for all public school pupils re-	

INDEX TO HOUSE BILLS

cix

No.	Title of Bill	Page
	<p>siding three or more miles from an open public school; defining 'transportation' for the purpose of this Act so as to include services furnished in lieu of transportation; providing that school boards may operate busses and contract for 'transportation' of pupils; providing that school boards may close schools and transport pupils to another school and providing that school boards shall pay for its pupils attending school in another district; providing that no school money shall be expended for 'transportation' except to persons or firms holding legal contracts for the same; providing requirements as to busses, drives and the operation of busses; fixing a schedule for individual 'transportation'; providing basis on which any child attending other than a public school may ride on a public school bus; designating who is eligible to receive 'transportation' from school districts; providing for the measurement of transportation distances in dispute and the settlement of transportation matters in controversy; providing for state reimbursement for transportation; providing a supplementary levy for transportation; and repealing Section 1010 of the Revised Codes of Montana of 1935."</p>	249, 359.
Sub. 377	<p>"An Act providing uniform transportation services for all public school pupils residing three or more miles from an open public school; defining 'transportation' for the purpose of this Act so as to include services furnished in lieu of transportation; providing that school boards may operate busses and contract for 'transportation' of pupils; providing that school boards may close schools and transport pupils to another school and providing that school boards shall pay for its pupils attending school in another district; providing that no school money shall be expended for 'transportation' except to persons or firms holding legal contracts for the same; providing requirements as to busses, drivers, and the operation of busses; fixing a schedule for individual 'transportation'; providing basis on which any child attending other than a public school may ride on a public school bus; designating who is eligible to receive 'transportation' from school districts; providing for the measurement of transportation distances in dispute and the settlement of transportation matters in controversy; providing for state reimbursement for transportation; providing a supplementary levy for transportation; and repealing Section 1010 of the Revised Codes of Montana of 1935."</p>	359, 399, 423, 441, 448, 449, 553.
378	<p>Introduced by Berthot: A Bill for an Act entitled: "An Act creating a State Commission of State Government reorganization; providing for the appointment of its members, the powers and duties</p>	

No.	Title of Bill	Page
	of the commission, the cooperation of all State Officers and Employees, public hearings and a report to the Legislative Assembly in January, 1941; and further providing for an appropriation of One Thousand Dollars to cover the expenses of the Commission and report."	249, 400, 424, 433, 434, 442, 445, 583.
379	Introduced by Smith: A Bill for an Act entitled: "An Act to amend Section 8868 of the Revised Codes of the State of Montana of 1935, relating to cases in which a Judge may be disqualified, providing for the calling in of another Judge, and providing for the time in which to file affidavits of disqualification."	249, 325.
380	Introduced by Smith and O'Connor: A Bill for an Act entitled: "An Act requiring licenses for the operation, maintenance, opening or establishment of stores in this state, the classifying of such stores, prescribing the license and filing fees to be paid therefor and the disposition thereof, and the powers and duties of the State Board of Equalization in connection therewith; and prescribing penalties for the violation thereof and repealing Sections 2420.1, 2420.2, 2420.3, 2420.4, 2420.5, 2420.6, 2420.7, 2420.8, 2420.9, 2420.10, 2420.11, Revised Codes of Montana, 1935, and Chapter 199 of the Laws of 1937."	250, 434.
381	Introduced by Committee on State Lands: A Bill for an Act entitled: "An Act to amend Section 1805.79, Revised Codes of Montana, 1935, relating to the terms of payment upon a purchase of State land; and providing that a purchase of State Land shall make a payment on the day of sale."	250, 276, 278, 363.
Sub. 381	A Bill for an Act entitled: "An Act to amend Section 1805.79, Revised Codes of Montana, 1935, relating to the terms of payment upon a purchase of State land; and requiring bidders to include a certified check for not less than 10% of the total appraised sales price with his bid; and providing that a purchaser of State land shall make a payment on the day of sale."	363, 400, 411, 421, 439, 537, 545, 546.
382	Introduced by DeDobbeleer, Tyler, Petersen, McKenna, Hess and Beck: A Bill for an Act entitled: "An Act defining 'itinerant merchant' and 'established place of business'; providing who are exempt from the provisions hereof; requiring a license and fixing the amount thereof and prescribing the conditions under which the same shall be issued; providing for a bond; defining the conditions thereof; stating when and how a license may be revoked; defining the powers and duties of the Commissioner of Agriculture, peace officers	

No.	Title of Bill	Page
	and employees of the Department of Agriculture; designating the disposition of funds; stating this Act shall not affect or repeal certain existing laws; declaring the intent of the Legislature; fixing a penalty for violations and designating the effective date."	250, 305, 330, 343, 361, 385, 411, 416, 428, 528, 551, 552.
383	Introduced by DeDobbeleer, Tyler, Petersen, Beck and Moss (Custer): A Bill for an Act entitled: "An Act to amend Section 2000 of the Revised Codes of Montana, 1935, relating to the percentage of the true and full value of each class of taxable property in this State, which shall be taken and used as the basis for the imposition of the taxes thereon."	250, 398.
384	Introduced by Spiegel, Ryan, Smith by request: A Bill for an Act entitled: "An Act to amend Section 4468 of the Revised Codes of Montana, 1935, relating to the organization of new townships and providing that a petition be presented to organize a new township, or in certain townships to change the boundaries thereof."	250, 277, 286, 328, 330, 351, 497.
385	Introduced by Sorte: A Bill for an Act entitled: "An Act to transfer moneys from the State Public School General Fund to the State Common School Equalization Fund in accordance with the recommendation of the State Board of Education."	250, 359, 385, 402, 424, 442, 444, 561, 568, 578, 581, 585, 620, 628.
386	Introduced by Stewart by request: A Bill for an Act entitled: "An Act to amend Section 2122.9, Revised Codes of Montana, 1935, relating to appeals to the State Board of Equalization; and providing for appeals to the State Board of Equalization, and an additional remedy by appeal to the District Court."	250, 325.
387	Introduced by Morrison and Armstrong: A Bill for an Act entitled: "An Act relating to jurisdiction over boxing, sparring and wrestling matches—licenses—application for licenses and amending Section 4554 of the Revised Codes of Montana, 1935; relating to duration of bouts—glove specifications—rules and regulations of wrestling matches—physical examination of participants, and amending Section 4556 of the Revised Codes of Montana, 1935; relating to forfeiture of license for conducting fake bouts, and amending Section 4557 of the Revised Codes of Montana, 1935, relating to penalty for participating in fake bouts, and amending Section 4558 of the Revised Codes of Montana, 1935; relating to report of ticket	

No.	Title of Bill	Page
	sales—tax and gross receipts—moneys paid in Veterans' Memorial Fund—expenditures—investment, and amending Section 4559 of the Revised Codes of Montana, 1935; relating to bond of applicant for license, and amending Section 4560 of the Revised Codes of Montana, 1935, and repealing Section 11,296 of the Revised Codes of Montana, 1935."	250, 404, 405, 424, 447, 448, 453, 528, 545, 546.
388	Introduced by Flynn: A Bill for an Act entitled: "An Act relating to the deeding, mortgaging, transferring and conveying of real estate, and providing who must join in the same."	251, 263.
389	Introduced by Lambert and Flynn: A Bill for an Act entitled: "An Act to amend Section 2650.1 of Chapter 242 of the Revised Codes of Montana, 1935, to empower the State Board of Health to prescribe rules and regulations for the drilling of water wells for general human use, and recording of data pertaining thereto, registration of drillers and applications for drilling."	251, 399.
390	Introduced by Hoiness: A Bill for an Act entitled: "An Act to amend Section 1190 of the Revised Codes of Montana, 1935, relating to contracts for supplying textbooks."	251, 310, 337, 343, 346, 374, 553.
391	Introduced by Long, D'Ewart and Ryan: A Bill for an Act entitled: "An Act relating to the primary election laws of the State of Montana; providing manner of filing petitions for nominations; form of petitions; percentage of electors required on petitions; qualification of petitioners; amending Sections 640 and 641, Revised Codes of Montana, 1935, and repealing all Acts and parts of Acts in conflict therewith."	251, 320.
392	Introduced by McLeod and Murray: A Bill for an Act entitled: "An Act to amend Section 11,171, Revised Codes of Montana, 1935, relating to officers neglecting duty in enforcing gambling laws, and penalty therefor."	251, 318.
393	Introduced by McClain, Goodwin, Hoiness, Lambert, Lehrkind and Metlen: A Bill for an Act entitled: "An Act to amend Sections 1, 4 and 5, Chapter 87 of the Laws of the Twenty-fifth Legislative Assembly of the State of Montana, entitled: 'An Act establishing a retirement system to provide for the retirement upon retirement allowances of public school teachers in the State of Montana; establishing a retirement board for the administration of such system; and fixing the powers and duties thereof; fixing the membership in the retirement	

No.	Title of Bill	Page
	system and providing retirement allowances thereunder; establishing certain funds for the administration of said system and providing for the securing of the moneys; income, and revenue for the maintenance of such funds, and providing for the appropriation of such funds as are necessary; and providing for the discontinuing of the retirement system established by Sections 1113 to 1132, inclusive, of the Revised Codes of Montana,' so that teachers in the University of Montana shall be included in the membership in the Teacher's Retirement System of the State of Montana."	251, 345.
Sub. 393	Introduced by Committee on Education: A Bill for an Act entitled: "An Act to amend Sections 1, 4 and 5, Chapter 87 of the Laws of the Twenty-fifth Legislative Assembly of the State of Montana, entitled: 'An Act establishing a retirement system to provide for the retirement upon retirement allowances of public school teachers in the State of Montana; establishing a retirement board for the administration of such system; and fixing the powers and duties thereof; fixing the membership in the retirement system and providing retirement allowances thereunder; establishing certain funds for the administration of said system and providing for the securing of the moneys; income, and revenue for the maintenance of such funds, and providing for the appropriation of such funds as are necessary; and providing for the discontinuing of the retirement system established by Sections 1113 to 1132, inclusive, of the Revised Codes of Montana,' so that teachers in the University of Montana shall be included in the membership in the Teacher's Retirement System of the State of Montana."	345, 383, 411, 416, 428, 561, 583, 584.
394	Introduced by Spiegel: A Bill for an Act entitled: "An Act prescribing the duties of the Secretary of State, the President of the Senate, and the Speaker of the House of Representatives in regard to Legislative Journals, and defining terms."	251, 264, 280, 284, 293, 294.
395	Introduced by Stevens: A Bill for an Act entitled: "An Act relating to the preservation of historical, archaeological and scientific resources of the State of Montana; creating and establishing a commission to be known as the Science Commission of Montana; designating the members thereof, and prescribing the duties, powers and authority of said commission; providing penalties for violation of this Act, and providing that all Acts or parts of Acts in conflict with or within the purview of this Act are hereby repealed."	254, 264, 284, 309, 312, 317, 475, 495, 496, 589.

No.	Title of Bill	Page
396	Introduced by McLeod, Murray and Anderson (Cascade): A Bill for an Act entitled: "An Act amending Sections 1 and 2 of Chapter 94 of the Laws of 1937, providing a license tax on all persons, associations, or corporations owning or operating a telephone business in this State; and repealing Acts in conflict herewith."	255, 278, 417, 418, 449, 454.
397	Introduced by McLeod, Murray and Anderson (Cascade): A Bill for an Act entitled: "An Act to amend Section 2815.29 of the Revised Codes of Montana 1935, relating to tax on imported beer; and to amend Section 2815.50 of the Revised Codes of Montana, 1935, relating to distribution of revenue."	255, 392.
398	Introduced by Murray, McLeod and Anderson (Cascade): A Bill for an Act entitled: "An Act to amend Sections 11573.4 and 11573.8 of the Revised Codes of Montana, 1935, relating to the production and sales of prison-made goods, and repealing Section 11573.5 of the Revised Codes of Montana, 1935."	255, 356.
399	Introduced by Longenecker: A Bill for an Act entitled: "An Act to amend Section 349.3 of the Revised Codes of Montana of 1935, relating to appointment of members of the Water Conservation Board."	255, 264, 284, 309, 330, 350, 487.
400	Introduced by Judiciary Committee: A Bill for an Act entitled: "An Act to amend Section 9389, Revised Codes of Montana, 1935, relating to bills of exception made at time of ruling and also Section 9390, Revised Codes of Montana, 1935, relating to bills of exception made after judgment; providing when bills of exception need not be, and when bills must be, prepared, contents, settlement and authentication thereof, and to transcripts on appeal."	255, 384, 409, 447, 457, 583.
401	Introduced by Fish and Game Committee: A Bill for an Act entitled: "An Act to amend Section 3689 of the Revised Codes of Montana of 1935, relating to the carrying and exhibiting of licenses."	255, 306.
402	Introduced by Judiciary Committee: A Bill for an Act entitled: "An Act to amend Section 9416, Revised Codes of Montana, 1935, relating to issuance of executions on judgments, and stay of the operation and effect thereof, and providing when the District or Supreme Court may preserve the subject matter of an action during the course thereof and on appeal, and clarifying the law relating thereto."	255, 384, 406, 447, 448, 453, 583.

No.	Title of Bill	Page
403	Introduced by Judiciary Committee: A Bill for an Act entitled: "An Act to amend Sections 9367, 9369, 9370 and 9371, Revised Codes of Montana, 1935, relating to findings of fact and conclusions of law and entry of judgment thereon, when reversals may be had for defective findings, exceptions thereto and proceedings thereon."	255, 384, 406, 420, 421, 438, 583.
404	Introduced by Duncan: A Bill for an Act entitled: "An Act to amend Section 5019, Revised Codes of Montana, 1935, as amended by Chapter 4, Laws of 1937, relating to Fire Departments in cities and towns of the State and providing for the establishment, organization, equipment, management and control thereof as part of the police power of the State in the interest of public safety."	255, 295.
405	Was introduced by unanimous consent without previous notice by Committee on Appropriations: A Bill for an Act entitled: "An Act to amend Sections I and III of Part VIII of Chapter 82, Laws of the Twenty-fifth Legislative Assembly of the State of Montana, known as the Public Welfare Act, relating to appropriations, disposition of funds and disbursements, and repealing all Acts and parts of Acts in conflict."	255, 264, 284, 309, 326, 418, 433, 442, 446, 512, 513, 553.
406	Introduced by Metlen: A Bill for an Act entitled: "An Act classifying, governing and regulating the operations of motor vehicles by carriers and the users thereof in transporting passengers and property over the public highways in the State; imposing fees, taxes and charges for the privilege of using the highways of the State of Montana for the purpose of conducting the business of transporting passengers and property thereon for hire, and providing penalties for the violation thereof, and repealing Section 2 of Chapter 100 of the Laws of the Twenty-fourth Legislative Assembly, 1935."	256, 266, 421, 422, 449, 454.
407	Was introduced by unanimous consent without previous notice by Goodwin, Ryan, Brown, Beadle, Sullivan, Freshman, Loughran, Spiegel, Cannon, McCarthy: A Bill for an Act entitled: "An Act providing the manner for placing the list of candidates for State Senate and House of Representatives on any primary or General Election ballot."	256, 277, 286, 328, 330, 352, 561, 579, 580.
408	Introduced by Spiegel and Baker: A Bill for an Act entitled: "An Act to amend Section 2408.2,	

No.	Title of Bill	Page
	Revised Codes of Montana, 1935, relating to a natural gas distributors and transporters license tax; providing for amount and computation thereof, measurement of gas transported and distributed; and repealing all Acts and parts of Acts in conflict therewith."	256, 397.
409	Introduced by Baker: A Bill for an Act entitled: "An Act to amend Section 11688, of the Revised Codes of Montana of 1935, relating to the filing of an Accusation against district, county, township, or municipal officers of school trustees."	256, 319, 337, 343, 346, 375, 512, 562, 563.
410	Introduced by unanimous consent without previous notice, by Committee on Appropriations: A Bill for an Act entitled: "An Act to appropriate money for the operation, maintenance and other purposes as designated herein, for certain State Departments and Offices for the period beginning July 1, 1939, and ending June 30, 1941."	266, 268, 294, 328, 335, 362, 586, 587, 592, 619, 627, 628, 629, 635, 636.
411	Introduced by Wenger: A Bill for an Act entitled: "An Act to appropriate money for the payment of certain claims arising out of the construction of the student faculty residence hall at the Montana School of Mines, Butte, Montana; and for the payment of said certain claims."	272, 281.
412	Introduced by McLeod and Stromnes: A Bill for an Act entitled: "An Act appropriating money for the full payment of the claim of George Sutich Jr., for medical and hospital care and damages for injuries received while playing football for the Montana State College at Bozeman, Montana in October of 1937."	272, 393.
413	Introduced by Stromnes: A Bill for an Act entitled: "An Act to amend Section 9067 of the Revised Codes of Montana, 1935, designating those who may maintain an action."	292, 385, 411.
414	Introduced by the Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money for the purpose of repayment of overpayment of corporation license taxes and electric energy taxes paid to the State of Montana and authorizing the repayment of same from the General Fund of the State."	327, 329, 345, 390, 408, 413, 528, 545, 546, 547.
415	Introduced by the Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate	

No.	Title of Bill	Page
	money for the payment of a deficiency claim of Fred B. Sheriff for services rendered to the State of Montana."	327, 329, 354, 390, 399, 414, 553, 579, 580.
416	Introduced by the Appropriation Committee: A Bill for an Act entitled: "An Act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the district judges' expense."	327, 329, 354, 392, 399, 413, 528, 545, 546.
417	Introduced by the Appropriation Committee: A Bill for an Act entitled: "An Act to appropriate money for the payment of certain deficiency claims arising from the operation of the Montana State College."	327, 329, 354, 390, 408, 413, 528, 545, 546.
418	Introduced by Appropriation Committee: A Bill for an Act entitled: "An Act to appropriate money for the payment of a deficiency claim of C. C. Guinn for expenses as a member of the text book commission."	327, 330, 421, 433, 442, 446, 528, 545, 546, 547.
419	Introduced by the Committee on Appropriations: A Bill for an Act entitled: "An Act to appropriate money for the State Department of Public Welfare of the State of Montana for Public Assistance, for administrative costs in the State Department and in the county departments of Public Welfare and for all other expenditures that the State Department of Public Welfare is authorized to incur, for the period beginning with March 2, 1939 and terminating with June 30, 1939."	338, 386, 406, 411, 424, 431, 586, 587, 592, 619, 622, 623, 629, 635, 636.
420	Introduced by Committee on Education: A Bill for an Act entitled: "An Act to amend Section I, Chapter 140, Session Laws of 1937, relating to use of school rooms for adult classes."	338, 358, 400, 407, 409, 426, 553.
421	Introduced by the Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money for the payment of per diem to the officers and attaches and for incidental expenses of the Twenty-sixth Legislative Assembly of the State of Montana."	373, 376, 400, 411, 416, 418, 449, 452, 453, 455, 474.

No.	Title of Bill	Page
422	Introduced by Appropriation Committee: A Bill for an Act entitled: "An Act to appropriate money for the payment of expenses incurred by the Occupational Disease Commission appointed by the Governor of the State of Montana as authorized by Senate Joint Resolution No. 6, of the Twenty-fifth Legislative Assembly of the State of Montana of 1937."	386, 393, 419, 433, 442, 446, 512, 524, 525, 537.
423	Introduced by Appropriation Committee: A Bill for an Act entitled: "An Act to appropriate money for certain elective offices and State institutions for the fiscal year ending June 30, 1939, it having been determined that the appropriations made by the Twenty-fifth Legislative Assembly are insufficient."	387, 393, 409, 411, 416, 425, 528, 531, 540, 562, 563.
424	Introduced by Committee on Appropriations: A Bill for an Act entitled: "An Act to appropriate money for the operation and maintenance of certain departments for the fiscal year ending June 30, 1939, it having been determined that the appropriations made by the Twenty-fifth Legislative Assembly are insufficient."	387, 393.
425	Was introduced, by unanimous consent of the House, by Committee on Ways and Means, entitled: A Bill for an Act entitled: "An Act to provide for the support of the government of Montana for the years 1939 and 1940."	409, 417, 449, 454, 457, 458, 528, 545. 547.
426	Introduced by Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money for the use of the Water Conservation Board of the State of Montana for the Administration Fund and for the Conservation Revolving Fund of the Water Conservation Board for the period beginning March 1, 1939, and ending March 1, 1941."	411, 417, 449, 484, 601, 619, 624, 629, 632, 633, 634, 635, 636.
427	Introduced by Appropriation Committee: A Bill for an Act entitled: "An Act to appropriate money for the State Department of Public Welfare of the State of Montana for public assistance, for administrative costs in the state department and in	

No.	Title of Bill	Page
	the county departments of public welfare and for all other expenditures that the State Department of Public Welfare is authorized to incur, for the period beginning with July 1, 1939 and terminating with June 30, 1941."	473, 474, 478, 484, 586, 587, 592, 619, 625, 626, 629, 633.

No.	Title	Page
HOUSE JOINT MEMORIALS		
1	Introduced by Mrs. Martin: A Resolution memorializing the Congress of the United States for the passage of the legislation for the creation and establishment of the Townsend recovery plan, and for benefits to be paid to all persons over the age of sixty years.	48, 79, 84, 95, 99, 108, 113, 163, 183, 278.
2	Introduced by Emswiler: A memorial in support of the Committee of Investigation of un-American practices.	48, 97.
3	Introduced by Liggett: A memorial to the Congress of the United States of America requesting an investigation of the wrongful destruction, removal, and failure to replace the fair ground buildings of the County of Musselshell, and thereafter cause restitution of the same, said building having been wrongfully destroyed and removed by authority of the National Parks Service.	55, 79, 95, 99, 108, 113, 163, 183, 278.
4	Introduced by Armstrong: A joint memorial to the Congress of the United States requesting the amendment by that body of the Social Security Act of Congress so as to provide for the payment by the federal government of one-half the money used in aid of dependent children.	55, 64, 65, 71, 74, 76, 121, 135, 148, 345.
5	Introduced by Long and Ekern: A joint memorial to the Congress of the United States, relating to a change of the national banking and monetary systems.	55, 74, 126, 158, 176, 185, 190.
6	Introduced by Committee on Labor: A resolution memorializing the congress of the United States; requesting the passage of deficiency appropriation legislation to continue work relief through federal agencies and to provide increase in wage scales, and protesting abandonment of the work relief program by the federal government and turning the same back to the states.	70, 117, 143, 164, 175, 176, 272.
7	Introduced by Hoiness, Gebhardt, Williams, McFatridge, Hammond, Stromnes, Kellogg, O'Connor, Wilson, Newell, Friedl, Watson: "A memorial to	

No.	Title	Page
	the Congress of the United States of America requesting it to assist the beet sugar industry of Montana."	76, 84, 95, 108, 115, 130, 208, 230, 307.
8	Introduced by Lynch and Lippard: "A Resolution memorializing the Congress of the United States to enact legislation to facilitate the transportation of products of Montana and adjacent states by construction of dams and other facilities to make navigable the Missouri river from its mouth to Fort Benton, Montana."	99, 295, 318, 340, 344, 388, 537, 545, 546, 547.
9	Introduced by Acton and Smith by request: "A Joint Memorial to the Congress of the United States of America requesting Congress to create a work relief program designed to bring about a decrease in the number of persons on the relief roll and an increase in employment in private industry."	107, 126.
10	Introduced by Murray: A Memorial to the Congress of the United States requesting the enactment of legislation to bring about control of basic metals, to create a control board and suggesting the powers of said board.	112, 117, 125, 142, 145, 158, 528, 551, 552.
11	Introduced by Lambert: A Memorial requesting Congress of the United States to pass a bill granting certain public lands to the State of Montana for the use and benefit of the Northern Montana Agricultural and Manual Training School also designated as the Northern Montana College.	140, 154, 176, 210, 230, 260, 323, 342, 487.
12	Introduced by Lambert: "A Memorial to the Congress of the United States requesting the enactment of Home Security legislation to be supplemented by legislation in the several states, exempting small homes and small parcels of land used for producing food for consumption in said respective homes from taxation and attachments and execution, except for debt incurred in acquiring and improving said homes and land to the end that private local capital and employment of local labor may be stimulated; the standard of the American Home and living raised, and respect for American traditions and institutions increased.".....	182, 268, 290, 344, 346, 388, 497.
13	Introduced by Baker and Byrne: "A Memorial to the Congress of the United States requesting the enactment of appropriate legislation to protect the	

No.	Title	Page
	citizens of the State of Montana against the importation of natural gas from the Dominion of Canada."	182, 204, 270, 278, 302, 316, 537, 545, 546, 547.
14	Introduced by the Committee on Agriculture: "A Memorial to the Congress of the United States urging amendments to existing laws pertaining to agriculture affecting wheat production in Montana; requesting quotas in wheat production be changed from an acreage basis to a bushel basis; urging provisions of means for raising revenue for the purpose of insuring a parity price for wheat produced."	182, 205, 270, 278, 302, 316, 475, 477, 479, 602, 603.
15	Introduced by Baker, Hoiness, D'Ewart, Listug, Lowe, James, Zuck, McClain, Acton and Leuthold: "A Memorial to the President, Senate and House of Representatives of the United States in Congress Assembled and the Secretary of Agriculture."	195, 205, 230, 261, 271, 275, 337.
16	Introduced by Lambert: "A Memorial to the Congress of the United States requesting an investigation of certain homesteads on Indian lands in Valley, Daniels and Roosevelt counties in regard to settlement thereof, money paid therefor to the United States government, abandonment of such homesteads and thereafter the enactment of legislation for refunding to such settlers or their heirs who were compelled to abandon said land, of the amount paid therefor."	236, 268, 286, 344, 371, 389, 512, 524, 537.
17	Introduced by Rice: "A Resolution Memorializing the Congress of the United States; requesting legislation amending the Social Security Act to include sufferers from occupational diseases and to match State appropriations by Federal Aid."	252, 268, 294, 344, 346, 388, 512, 536, 537.
18	Introduced by D'Ewart: A Memorial to the Congress of the United States of America requesting the passage of House Resolution No. 3320 and Senate Bill No. 572 both of which bills are identical in form, and are for the purpose of providing for the common defense by acquiring stocks of strategic and critical raw materials, concentrates and alloys essential to the needs of industry for the manufacture of supplies for the armed forces	

No.	Title	Page
	and the civilian population in time of national emergency, and for other purposes.	373, 391, 406, 454, 460, 528, 531, 541, 562, 563.
	HOUSE MEMORIALS	
1	Introduced by McLeod, Moss (Custer), McGee and Melin: "A memorial to the Congress of the United States of America protesting the reduction of the \$875,000,000, asked by President Franklin D. Roosevelt for Works Progress Administration purposes, to \$725,000,000."	81, 83, 85, 87, 88, 96.
2	Introduced by Committee on Highways and Highway Transportations: "A Memorial urging the Congress of the United States to cause a completion of the Lewis and Clark Highway."	496, 497, 510, 516, 531, 543, 550, 583, 584.
	HOUSE JOINT RESOLUTIONS	
1	A resolution declaring an emergency to exist and providing for the employment and compensation of additional help for the House of Representatives of the 26th Legislative Assembly of the State of Montana and providing that the intent of Section 5653 of the Revised Codes of Montana, relating to preference of Veterans in public employment be put into effect in this body.	56, 58, 63, 68, 69.
2	Introduced by Employment Committee: "A joint resolution declaring an emergency to exist and providing for the compensation and employment of additional help during the Twenty-sixth Legislative Assembly of the State of Montana pursuant to the authority granted by Section 77 of the Revised Codes of Montana, 1935."	77, 79, 95, 99, 101, 127, 128, 130, 137, 151, 271.
3	Introduced by McLeod and others: A resolution encouraging a more extensive use of copper.	87, 110, 125, 142, 145, 158, 281, 287, 383.
4	Introduced by Committee on Education: "A Joint Resolution providing for a Commission to study the school district system in Montana, to make recommendation looking to the improvement of said system, and to provide for an appropriation to cover the expense of the commission."	196, 212, 256, 376, 406, 411, 424, 437, 537.

No.	Title	Page
5	Introduced by Committee on Development and Publicity: "A House Joint Resolution accepting the designation of July 19, 1939, as 'Montana Day' in the calendar of special events of the New York World's Fair of 1939, providing for proper observance thereof, prescribing the duties of the 1939 anniversary commission in connection therewith, and urging the participation of certain organizations and of the citizens of the State of Montana therein."	252, 355, 400, 454, 455, 528, 551, 552.
6	Introduced by Stromnes: A Joint Resolution selecting and designating a state song for the State of Montana."	256, 403.
7	Introduced by Flynn: A Resolution requesting the Governor of the State of Montana to appoint a Commission to make a study of articles and places of historical and traditional value to the State of Montana; providing for accepting gifts of personal property; and to make recommendations to the Twenty-Seventh Legislative Assembly at its session in 1941 relating thereto.	411, 412, 424, 454, 455, 456, 528.
HOUSE RESOLUTIONS		
1	Introduced by Rice, Hess, DeDobbeleer, Hoiness, Byrne, Stafford, Zuck, Emswiler, Cole (Petroleum), Armstrong and Parker (Flathead). A Resolution commending members of the Congress of the United States for introducing a bill designed to guarantee to farmers the cost of production.	139.
2	Introduced by Yellowstone County Delegation: A Resolution extending the sympathy of the House of Representatives of the Twenty-sixth Legislative Assembly to the Honorable Ralph Gebhardt on the death of his brother.	509.
	A Resolution on Death of Former Members	53.
	A Resolution on Rogers Pass Road	146.
	A Resolution on Death of R. H. Friedl, Father of Hon. Paul Friedl	154.
	A Resolution on Death of Father of Hon. H. H. Longenecker	198.
	A Resolution on Death of Brother of Hon. Ralph Gebhardt	509.

INDEX TO SENATE BILLS

Bold face figures refer to roll calls: thus 341

No.	Title of Bill	Page
1	Introduced by Foor: A Bill for an Act entitled: "A bill for an Act to amend Section 142 of the Revised Codes of the State of Montana, 1935, prescribing the method of the publication of the laws of the Legislative Assemblies of the State of Montana."	80, 138, 142, 151 , 192.
3	Introduced by Simmons: A Bill for an Act entitled: "An Act to amend Section 4728 of the Revised Codes of Montana of 1935, relating to county and other officers, when elected and term of office, and repealing all Acts and parts of Acts in conflict herewith."	107 , 152, 157 , 164, 170, 171, 534, 551 , 554, 632.
5	Introduced by Mahoney: A Bill for an Act entitled: "An Act relating to the appointment of all assistants, deputies, agents, attorneys, administrators, engineers, experts, clerks, accountants, stenographers, and executive attaches of all appointed civil executive state offices, boards, commissions, bureaus, departments, or assistants of any kind not otherwise provided by law; providing for the approval of all such appointments by the State Board of Examiners; providing for the discontinuance of their office by said board; repealing Chapter 5 of the Laws of 1937, and all other Acts and parts of Acts in conflict herewith."	99 , 355, 492, 499 , 517, 524, 604, 619, 620, 629, 632, 633, 634, 635.
6	Introduced by Mahoney: A Bill for an Act entitled: "An Act to amend Section 970 of the R. C. M., 1935, relating to the abandonment of school districts."	132, 268.
10	Introduced by Foor: A Bill for an Act entitled: "An Act to amend Chapter 50 of the Code of Civil Procedure of the Revised Codes of Montana, 1935, by adding one new section to be known as Section 9327.1 providing for pre-trial procedure by the court in formulating issues in any civil action."	121 , 122, 325, 473 , 475, 512.
12	Introduced by Angvick, Baker (Dawson), Chapman, Foor, Hammond, Kroman, Calder, Mahoney, Kathman, Robinson, Starks, Harlen, Robson, Ruffcorn, Waite, Lamp, Plank, Weinschrott, Nutt, Burke, Mann and Wood (Carter): A Bill for an Act en-	

No.	Title of Bill	Page
	titled: "An Act to permit real property to be redeemed from tax sale by paying the original tax, provided such original taxes be paid on or before February 1, 1941."	99, 207, 219, 253, 276.
13	Introduced by Armstrong: A Bill for an Act entitled: "An Act to amend Sections 10400.18 and 10400.19 of the Revised Codes of Montana, 1935, relating to the powers, duties, compensation and expenses of special appraisers; their reports and hearings thereon."	150, 534.
14	Introduced by Keeley: A Bill for an Act entitled: "An Act to amend Section 2900, of the Revised Codes of Montana, 1935, so as to include within the provisions thereof a stay as to the running of the period of limitations in cases of workmen employed by school districts."	121, 122, 325, 473, 475, 512.
15	Introduced by Simmons: A Bill for an Act entitled: "An Act to amend Section 9322 of the Revised Codes of Montana of 1935, relating to 'in what cases judgment by default may be entered,' and repealing all Acts and parts of Acts in conflict herewith."	99, 265, 267, 269, 297, 476.
16	Introduced by Smith: A Bill for an Act entitled: "An Act to repeal Sections 6374.1, 6374.2, 6374.3, 6374.4, 6374.5, 6374.6 and 6374.7, of the Revised Codes of Montana of 1935, relating to the issuance of permanent stock by Building and Loan Associations and authorizing and regulating the issuance thereof."	209, 231, 261, 267, 269, 297.
17	Introduced by Smith: A Bill for an Act entitled: "An Act to amend Section 6355.13 of the Revised Codes of Montana, 1935, relating to the powers and duties of building and loan associations by increasing the percentage of real estate value that may be loaned on mortgages and to enlarge the powers of such associations to invest their money."	307, 308, 323, 344, 473, 512.
19	Introduced by Armstrong: A Bill for an Act entitled: "An Act providing for the form, size and color of ballot to be used in general elections in the State of Montana; to provide for the designation of office and the manner of placing the names of candidates and their political designation; to provide for placing names of candidates for Judicial offices without political designation, and to provide the number of columns which ballots may contain, and to provide for rotation of names on the ballot; and to provide for the placement of ini-	

No.	Title of Bill	Page
	tiatives, referendums and Constitutional Amendments on the ballot and to repeal Sections 682, 812.12. Chapter 193 of the Laws of 1937 together with all Acts and parts of Acts in conflict therewith."	236, 324, 350, 424, 473, 476, 524.
20	Introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act forbidding the issuance or award of degrees of literary honors by any person or institution without first having secured the approval of the State Board of Education of the adequacy of the course of work or study offered."	150, 167, 210, 217, 263.
23	Introduced by Mulholland and Pauline: A Bill for an Act entitled: "An Act prescribing the hours of service for persons operating or driving commercial motor trucks or tractors, upon the public streets, or highways of the State of Montana; providing penalties for a violation thereof and repealing all Acts and parts of Acts in conflict herewith."	307, 309, 535, 543, 551, 563, 564, 565, 568.
24	Introduced by Haight: A Bill for an Act entitled: "An Act to amend Section Eleven of Chapter Eighty-four of the Session Laws of the Twenty-fifth Legislative Assembly of the State of Montana for 1937, relating to the sale of Liquor."	150, 569, 570, 578,
25	Introduced by Dahl: A Bill for an Act entitled: "An Act to insure safety from death of bodily harm and injury for aeronauts and air passengers and to protect the property of those engaged in aeronautics by controlling the building of obstructions in air space in the vicinity of public airports or landing fields which now may be or which hereafter may be acquired, owned, operated or maintained by the United States, State of Montana, any County of the State or any municipality thereof."	132, 154, 164, 175.
Sub. 31	Introduced by Committee on Education: A Bill for an Act entitled: "An Act providing for the enactment of a new section to be designated as Section 1010-A Revised Codes of Montana, 1935, to amend Section 1013 Revised Codes of Montana 1935, providing for the enactment of a new section to be designated Section 1262.44-A Revised Codes of Montana, 1935, and to amend Sections 1262.81 and 1263.8, Revised Codes of Montana 1935, all relating to the attendance at school of elementary and high school pupils outside of the school districts and counties in which they reside, providing for payment for transportation or board,	

No.	Title of Bill	Page
	rent or tuition of such pupils and for transfer of budget appropriations and apportionments to the school districts in which they attend school.".....	362, 465, 533, 551, 554, 578, 632.
32	Introduced by Campbell (Missoula): A Bill for an Act entitled: "An Act to amend Section 4139.12 of the Revised Codes of Montana, 1935, relating to abstract books or indices required under certain conditions."	196, 401, 473, 476, 512.
37	Introduced by Burke: A Bill for an Act entitled: "An Act amending Sections 3228.21, 3228.22, 3228.23, 3228.27, 3228.28, 3228.29 and 3228.30 of the Revised Codes of Montana, 1935, as amended by Chapter 183 of the Session Laws of 1937, to provide for the sanitary regulations and licensing of barber shops, schools and colleges; to fix fees for the regulation of such barber shops, schools and colleges and for the annual renewal thereof; to provide penalties for violations of the provisions of the Act; to approve agreements from each city or town within the State of Montana; and to further enlarge the present powers of the Board of Barber Examiners."	421, 463, 511, 524, 538, 578, 637.
39	Introduced by Waite and Wood: A Bill for an Act entitled: "An Act permitting the joinder of parties plaintiff in actions for the cancellations of or quieting title against oil and/or gas leases.".....	290, 291, 355, 473, 478, 527, 542, 548, 563.
40	Introduced by Pauline: A Bill for an Act entitled: "An Act relating to hours of work of members of the paid fire departments of cities of the second class; providing a minimum compensation for members of paid fire departments of cities of the second class; providing for penalties for the violation thereof; and providing for, in addition to a paid fire department, a volunteer fire department and repealing all Acts or parts of Acts in conflict therewith and amending Chapter 200 of the laws of the 25th Legislative Assembly of the State of Montana."	307, 308, 535, 551, 555, 632.
42	Introduced by Ecton: A Bill for an Act entitled: "An Act amending Section 1805.61 of the Revised Codes of Montana, 1935, relating to State Lands, easements for right of ways, requirements for easements for right of ways, duties of Commissioner of State Lands and Investments, duties of the State Board of Land Commissioners, and amending Section 1805.62, of the Revised Codes of Montana, 1935, relating to right of way ease-	

No.	Title of Bill	Page
	ments for public highways, streets, railroads and other purposes, and amending Section 1805.63 of the Revised Codes of Montana, 1935, relating to right of way easements, settlements with lessees and repealing Sections 1805.58, 1805.59 and 1805.60 of the Revised Codes of Montana, 1935, together with all Acts and parts of Acts in conflict herewith."	459, 467, 493, 500, 504, 545.
45	Introduced by Robinson: A Bill for an Act entitled: "An Act to amend Sections 1002 and 1003 of the Revised Codes of Montana, 1935, relating to the qualification of the elector and challenges and oath of voters for school elections and repealing all Acts or parts of Acts in conflict herewith.".....	281, 282, 424, 473, 476, 512.
46	Introduced by Tierney, Alvord, Arnold, Ecton, Plank, Pauline, Haight, Kathan: A Bill for an Act entitled: "An Act prohibiting the permitting of minors under the age of eighteen (18) years to enter, stop, resort or loiter, in any establishment where wine, whiskey or other intoxicating liquors are sold, served, or dispensed; providing penalties therefore; providing notice to the Montana Liquor Control Board of convictions; excluding State Liquor Stores from the operation of this Act; and repealing all Acts and parts of Acts in conflict herewith."	290, 291, 526, 542, 563, 564.
47	Introduced by Lott and Martinson: A Bill for an Act entitled: "An Act to amend Section 1186.3 of the Revised Codes of Montana, 1935, relating to qualifications of the School Bus Driver and repealing that provision of said Section 1186.3 requiring bond for such driver."	236, 279, 280, 293, 298, 329.
51	Introduced by Dahl: A Bill for an Act entitled: "An Act to amend Sections 3154.1, 3154.2, 3154.3, 3154.4, 3154.5, 3154.6, and 3154.10 of the Revised Codes of Montana, 1935, relating to the practice of Chiropody or podiatry, creating a State Board of Chiropody Medical Examiners, providing for the examination and licensing of applicants to practice chiropody, and the issuance, revocation and recordation of licenses, regulation of said practice, providing penalties for violations of the provisions of this Act and repealing all Acts and parts of Acts in conflict herewith."	338, 339, 398, 405, 497, 501, 507, 595.
Sub. 53	Introduced by Judiciary Committee: A Bill for an Act entitled: "An Act to amend Sections 3170, 3173, 3174, 3175, 3176, 3177, 3202.10, 3202.11, 3202.12 and 3202.13, Revised Codes of Montana,	

No.	Title of Bill	Page
	1935, providing for the comprehensive regulation of the practice of pharmacy, and the regulation of the sale of drugs, medicines, chemicals and poisons; providing for a State Board of Pharmacy and defining its powers and duties, and investing it with power to promulgate regulations within this Act; setting forth the requirements for registration and licensing of pharmacists, pharmacies, drug stores and other places; defining terms used in the Act, setting forth penalties for violations of this Act and repealing Sections 3171, 3172, 3178, 3179, 3180, 3181, 3182, 3184, 3202.7, 3202.8 and 3202.9, Revised Codes of Montana, 1935, and all Acts and parts of Acts in conflict herewith.".....	459, 469, 511, 516, 521, 530, 531, 547, 595.
55	Introduced by Campbell (Missoula), and Montgomery: A Bill for an Act entitled: "An Act to amend Section 1, Chapter 37 of the Laws of the Twenty-fifth Legislative Assembly defining photography and the practice thereof."	272, 349, 380, 494.
58	Introduced by Committee on Relief and Social Welfare: A Bill for an Act entitled: "An Act to amend Section 3, Section 4, Section 7, Section 8, Section 14 and Section 17, of Chapter 137 of the Session Laws of the Twenty-fifth Legislative Assembly of Montana, being the Unemployment Compensation Law; entitled an Act providing for unemployment compensation; creating a State Unemployment Compensation Commission; establishing an unemployment compensation fund and providing for the administration, distribution and investment thereof; providing for the assessment and collection of contributions upon pay rolls of employers; creating a State Employment Service and providing an appropriation therefor; providing penalties for violation."	290, 291, 342, 495, 500, 512, 513, 595.
59	Introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to amend Section 4630.12 of the Revised Codes of Montana of 1935, prescribing the qualifications of persons entitled to vote at County Bond elections, for closing of registration books and for preparation of list of qualified electors and poll books."	290, 291, 358, 484, 489, 553, 562, 590, 591, 637.
60	Introduced by Judiciary Committee: A Bill for an Act entitled: "An Act to improve the marketability of municipal bonds by providing for examination by the Attorney General, and a limitation on actions thereon."	236, 527, 554, 562, 563, 567, 632.
61	Introduced by Judiciary Committee: A Bill for an Act entitled: "An Act validating, ratifying, ap-	

No.	Title of Bill	Page
	proving and confirming bonds and other instruments or obligations heretofore issued by public bodies of this State and all proceedings heretofore taken for the authorization and issuance of bonds by such public bodies."	236, 533, 551, 555, 578, 632.
62	Introduced by Committee on Counties and Towns: A Bill for an Act entitled: "An Act to amend Section 4885, of the Revised Codes of Montana, 1935, relating to mileage and expenses of sheriffs."	290, 291, 381, 527.
63	Introduced by Committee on Counties and Towns: A Bill for an Act entitled: "An Act to amend Section 4464, of the Revised Codes of Montana, 1935, relating to compensation and mileage of county commissioners."	290, 381, 543, 551, 555, 632.
64	Introduced by Committee on Counties and Towns: A Bill for an Act entitled: "An Act to amend Section 6014.79, Revised Codes of Montana, 1935, relating to the payments to be made by each city or town and additional payments to be made by each city or town owning or operating a water works plant or system, or water works distributing system."	307, 308, 326.
65	Introduced by Committee on Stock Growing and Grazing: A Bill for an Act entitled: "An Act to amend Section 3324 of the Revised Codes of Montana of 1935 as amended by Section I of Chapter 133 of the Session Laws of 1937, relating to inspection of livestock and removal from county to county."	290, 291, 357, 477, 480, 512.
70	Introduced by Kathan: A Bill for an Act entitled: "An Act to amend Section 662 of the Revised Codes of Montana, 1935, relating to the County and City Central Committeemen, how elected."	307, 358, 477, 482, 512.
Sub. 71	Introduced by Stockgrowing and Grazing Committee: A Bill for an Act entitled: "An Act defining hide buyers; providing for the licensing thereof; providing for the inspection of hide or hides of cattle or of any horse, mare, colt, mule, jack or jenny, purchased by a hide buyer; providing for a bill of sale and identifying seals, and the forms thereof; requiring inspection in either the county of seller's residence or in the county where the animal was killed; prohibiting falsifying the bill of sale; prohibiting carriers from transporting uninspected and untagged hides; providing a penalty for violation of this Act; amending Sections 3350.1, 3350.2, 3350.7, 3350.8, 3350.10 and 3350.11	

No.	Title of Bill	Page
	of Chapter 291 Revised Codes of Montana, 1935, and all statutes in conflict herewith."	422, 470, 485, 491, 498, 595.
72	Introduced by Robinson: A Bill for an Act entitled: "An Act to amend Section 2736.7 of Chapter 248, Revised Codes of Montana, 1935, by prohibiting the use of aircraft, in such manner as to frighten to stampede livestock and providing that actual and punitive damages may be recovered therefor."	459, 467, 502, 512, 514, 545.
74	Introduced by Committee on Irrigation and Water Rights: A Bill for an Act entitled: "An Act authorizing irrigation districts to avail themselves of the provisions of the Federal Bankruptcy Acts, to enter into agreements with their creditors for the readjustment of their debts and to settle the same accordingly and validating such action heretofore taken."	422, 462, 496, 500, 505, 537.
75	Introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to amend Sections 1224.3, 1224.4, 1224.10, 1224.11, 1224.16 and 1224.17 of the Revised Codes of Montana of 1935, and Section 1224.6, of the Revised Codes of Montana, 1935, as amended by Chapter 57, Acts of Twenty-fifth Legislative Assembly of the State of Montana all relating to bonds issued by school trustees."	290, 291, 534, 551, 556, 632.
76	Introduced by Committee on Counties and Towns: A Bill for an Act entitled: "An Act to amend Section 214, Revised Codes of Montana, 1935, requiring public officers to allow the State Examiner access to their cash and bank accounts during the examination of their offices, providing for the suspension of any officer who refuses access to cash, bank accounts, books and records of their offices or when a shortage in accounts appears after verification of accounts, providing for the removal of any public officer where shortage is shown upon examination of any public offices; providing for the filing of reports by the State Examiner and the appointment of a successor for any officer suspended or removed from office."	281, 282, 511, 516, 520, 595.
77	Introduced by Committee on Towns and Counties: A Bill for an Act entitled: "An Act to amend Section 219, Revised Codes of Montana, 1935, relating to employment of assistants, deputies and clerks by the state examiner, and fixing their salaries."	421, 462, 511, 516, 520, 563.
78	Introduced by Mann: A Bill for an Act entitled: "An Act to amend Section 3322.1 of Chapter 136 of the Session Laws of 1937, relating to the pay-	

No.	Title of Bill	Page
	ment of fees for the inspection of cattle taken from the State of Montana."	338, 357, 477, 480, 512.
79	Introduced by Tierney and Pauline: A Bill for an Act entitled: "An Act regulating and prohibiting the employment of any married person by the State of Montana or any political subdivision thereof, whose husband or wife is gainfully employed; providing exemptions thereto and providing penalties for violation thereof and repealing all Acts and parts of Acts in conflict herewith."	362, 465, 494, 502.
81	Introduced by Swertelle: A Bill for an Act entitled: "An Act to amend Section 2 and Section 10 of Chapter 115 of the Laws of the Twenty-fifth Legislative Assembly of the State of Montana, relating to authority of political subdivisions and governmental agencies to undertake a program of public works; declaring an emergency; declaring purpose of Act."	272, 340, 477, 482, 537.
82	Introduced by Burke: A Bill for an Act entitled: "An Act relating to persons who allow water to run onto a public highway or onto the property of another, providing punishment for a violation thereof and amending Section 11531 of the Revised Codes of Montana, 1935."	281, 283, 297.
84	Introduced by Committee on Stockgrowing and Grazing: A Bill for an Act entitled: "An Act to amend Section 3298.19, Revised Codes of Montana, 1935, relating to the inspection of hides of cattle before selling, destroying or otherwise disposing of the same; and production of evidence of the inspection thereof declaring it to be unlawful to sell or otherwise dispose of hides which have not been inspected; and providing that any person slaughtering cattle shall exhibit the hide or hides to any inspecting officers."	281, 283, 287, 344, 350, 360, 361, 365, 398.
85	Introduced by Robson and Foor: A Bill for an Act entitled: "An Act to amend Section 2235 of the Revised Codes of Montana, 1935, relating to the sale of unredeemed property by County Commissioners."	362, 465, 534, 551, 556, 632.
86	Introduced by Plank: A Bill for an Act entitled: "An Act to amend Section 11159 of the Revised Codes of Montana, 1935, relating to gambling, as amended by Chapter 153 of the Session Laws of the Twenty-fifth Legislative Assembly 1937; by omitting therefrom the provisions of the amendatory act providing for playing of certain games for amusement and the use in places of business	

No.	Title of Bill	Page
	trade stimulators upon the payment of license fees; re-enacting the provisions of said Section 11159, as the same appeared prior to said amendatory Act."	281, 282, 526, 528, 542, 563, 564.
88	Introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to amend Section 5278.10 of the Revised Codes of Montana of 1935, prescribing the qualifications of persons entitled to vote at city and town bond elections for closing of registration books and for preparation of lists of qualified electors and poll books and repealing Section 5199.2 of the Revised Codes of Montana of 1935 and all Acts and parts of Acts in conflict herewith."	307, 308, 358, 399, 400, 405, 409, 569, 578, 579, 632.
90	Introduced by Committee on Horticulture: A Bill for an Act entitled: "An Act to amend Section 3617 Revised Codes of Montana, 1935, relating to infected orchards, trees, shrubs, plants or vines."	307, 308, 378, 477, 483, 512.
91	Introduced by Committee on Roads and Highways: A Bill for an Act entitled: "An Act validating, approving and confirming all elections heretofore proposed and held by the initiative pursuant to Section I of Article V of the Constitution of the State of Montana and the provisions of Chapter 13 of Revised Codes of Montana, 1935, and the Election Laws of the State of Montana, authorizing the issuance of debentures of the State of Montana, providing for the sale thereof for the use in the State Highway grants providing for a tax on gasoline or motor fuels and anticipated revenue therefrom, all as is more fully described in the initiative measures submitted at such elections, at which elections the proposal to issue said debentures received a majority of all the votes tendered and of all votes cast at such elections."	281, 282, 287, 338, 339, 342, 398.
92	Introduced by Committee on Roads and Highways: A Bill for an Act entitled: "An Act to amend and re-enact Sections 2, 3, 4, 6 and 9 of initiative measure No. 41 entitled: 'A Bill to enact by the initiative a law to be known as the State Highway Treasury anticipation debentures Act of 1938; authorizing the issuance of debentures of the State of Montana in the principal sum of Three Million Dollars (\$3,000,000) at such times and in such amounts up to the said principal sum, as shall from time to time be required for the purpose hereinafter set forth; and providing for the sale thereof for the use of the State Highway Fund in matching Federal Highway grants and	

INDEX TO SENATE BILLS

CXXXV

No.	Title of Bill	Page
	<p>assuring the ability of the State of Montana to secure moneys made available by Acts of Congress in reference to highways; providing for a tax on gasoline or motor fuels and anticipating revenues therefrom; prescribing the form and conditions of said debentures and interest thereon at a rate not exceeding four per centum (4%); providing the date of their maturity and of calling or payment thereof; providing a method by which the State Treasurer may purchase such debentures and providing that such debentures may be accepted as security for the repayment of public moneys; prescribing the conditions under which the sale of such debentures may be made and the use of the funds to be derived from the sale of such debentures; providing for the repayment of both principal and interest of such debentures and for the pledging and setting aside of a sufficient amount of said excise tax on gasoline or motor fuel to pay the same from the State Highway Treasury Redemption Fund herein created; providing for the creating of a liability binding the State of Montana not to reduce the license tax on gasoline or motor fuel as the same now exists, being now five cents (5c) per gallon of gasoline purchased for use in propelling motor vehicles upon the highways of the State of Montana, until after the accrual of a sufficient amount of money in such Highway Treasury Redemption Fund to pay in full the principal and interest of such debentures lawfully issued under the authority hereof; and providing that no part of the gasoline excise tax mentioned be diverted to any other purpose than use for highway construction, betterment and maintenance; 'approved at a State-wide election held November 8, 1938; clarifying the Act by making more specific the manner in which the debentures shall be sold and the place and time of payment providing the form of debenture and form of interest coupon to be attached to such debenture; fixing date of issuance and maturity of debentures and the order of payment of both interest and principal; the means and method of call and registration of debentures and providing that the excise or license tax of five cents (5c) per gallon gasoline or motor fuels, or dealers or distributors, shall not be reduced; providing for a State Highway anticipation debenture interest and redemption fund deleting from Section 4 of said Act the provision that the proceeds set aside are appropriated for the purpose as set forth in the Act; and adding to Section 9 a proviso to the effect that all covenants in the debentures shall be for the equal protection and benefit of holders, and all debentures and coupons shall be of equal rank; repealing all Acts or parts of Acts inconsistent with the terms hereof and declaring an emergency."</p>	<p>290, 291, 294, 303, 338, 339, 342, 398.</p>

No.	Title of Bill	Page
94	Introduced by Fish and Game Committee: A Bill for an Act entitled: "An Act to amend Section 3685 of the Revised Codes of Montana, 1935, relating to fees and powers under licenses—tagging of carcasses and reports of killing of elk or deer and repealing certain provisions relating to transfer of funds."	459, 467, 561.
98	Introduced by Committee on Agriculture: A Bill for an Act entitled: "An Act entitled: An Act to amend the following sections of the Revised Codes of Montana, 1935, relating to agriculture seeds; mainly Section 3564, relating to duties of the Department of Agriculture, Labor and Industry: Section 3593, relating to definitions of Agricultural seeds; Section 3594, relating to labeling of agricultural seeds; Section 3595, relating to exemptions; Section 3596, relating to violation and penalties; Section 3597, relating to inspection and analysis; Section 3598, relating to salaries, expenses and employment of agents; Section 3599, relating to testing of samples and fees; Section 3600, relating to certificates, and repealing Sections 3601 and 3602, Revised Codes of Montana, 1935, and all Acts and parts of Acts in conflict herewith'."	338, 391, 477, 483, 524.
99	Introduced by Committee on Agriculture: A Bill for an Act entitled: "An Act to amend the following sections of the Revised Codes of Montana, 1935; namely, Section 4208.2, relating to statement required on mixed fertilizer container; Section 4208.6, relating to samples of commercial fertilizer for tests and analysis; Section 4208.7, relating to the method of taking and preserving samples of commercial fertilizer and the manner of analyzing; Section 4208.9, relating to the report of analyses of commercial fertilizer and the payment of expenses; Section 4208.10, relating to the report of the chemist concerning analyses, fees, expenditures and disposal of surplus license fees."	307, 333, 334, 362, 364, 392, 477, 478, 485, 491, 498, 563.
103	Introduced by Committee on Horticulture: A Bill for an Act entitled: "An Act to amend Section 4265.1, Revised Codes of Montana, 1935, relating to grades of apples."	307, 308, 378, 477, 481, 524.
104	Introduced by Horticulture Committee: A Bill for an Act entitled: "An Act to amend 3614, Revised Codes of Montana, 1935, relating to the sale of nursery stock, fruit, vegetables, inspection thereof and fees."	362, 465, 485, 491, 498, 537.

No.	Title of Bill	Page
105	Introduced by Committee on Horticulture: A Bill for an Act entitled: "An Act to amend Section 3626, Revised Codes of Montana, 1935, relating to the sale of infected or diseased fruits or vegetables."	307, 308, 378, 477, 482, 512.
107	Introduced by Dairies and Dairying Committee: A Bill for an Act entitled: "An Act to amend Section 2634.1 of the Revised Codes of Montana, 1935, relating to egg dealers' license fees; to amend Section 2634.5 of the Revised Codes of Montana, 1935, relating to a certificate of candling; to amend Section 2634.6 of the Revised Codes of Montana, 1935, defining eggs unfit for human consumption; to amend Section 2634.7 of the Revised Codes of Montana, 1935, relating to the importation of eggs; to amend Section 2634.8 of the Revised Codes of Montana, 1935, relating to notices to purchaser of grade of eggs; to amend Section 2634.9 of the Revised Codes of Montana, 1935, relating to content of invoice; to amend Section 2634.11 Revised Codes of Montana, 1935, relating to penalties; adding to a new section to the Revised Codes of Montana, 1935, to be known as Section 2634.12, relating to the Montana State egg seal; adding a new section to the Revised Codes of Montana, 1935, to be known as Section 2634.13, relating to licensed egg graders; adding a new section to the Revised Codes of Montana, 1935, to be known as Section 2634.14 relating to revocation of licenses; and repealing all Acts and parts of Acts in conflict herewith."	459, 463, 501, 512, 516, 520, 552, 563.
108	Introduced by Committee on Roads and Highways: A Bill for an Act entitled: "An Act to amend Section 2433.5 of the Revised Codes of Montana, 1935, by adding additional provisions to permit contractors to bid for and be awarded contracts advertised by the Montana Highway Commission on Federal Aid Work without procuring licenses therefor."	459, 468, 495, 500, 505, 537.
111	Introduced by Ecton and Simmons: A Bill for an Act entitled: "An Act to amend Section 11737 of the Revised Codes of Montana of 1935, relating to what peace officers warrants are to be directed, when and how executed in another county, executed by what officers and arrest, and repealing all Acts and parts of Acts in conflict herewith."	307, 308, 535, 551, 556, 632.
112	Introduced by Foor and Simmons: A Bill for an Act entitled: "An Act to amend Section 9631 of the Revised Codes of Montana of 1935 relating to summons, how issued, directed, and what to contain, and to amend Section 9664 of the Revised	

No.	Title of Bill	Page
	Codes of Montana of 1935, as amended by Chapter 34 of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, relating to judgment when defendant fails to appear, and repealing all Acts and parts of Acts in conflict herewith.".....	307, 308, 349, 477, 483, 512.
115	Introduced by Martinson: A Bill for an Act entitled: "An Act to amend Section 8706, Revised Codes of Montana, 1935, by adding thereto a subsection, to be known as 8706.1 relative to the damages that may be recovered in civil actions against public officers, growing out of the discharge of the duties of the office."	380, 469, 535, 547, 551, 556, 578, 632.
Sen. Sub. for H.B. 115	Introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act relating to the granting of relief from mortgage foreclosures and from execution sales of real estate, providing for extending the period of redemption from said mortgage foreclosures and execution sales, and designating the procedure to obtain such relief and the authority of courts in relation thereto; limiting the right to maintain actions for deficiency judgments; extending the expiration of certain periods of redemption, and repealing all Acts and parts of Acts in conflict herewith."	553, 569, 570, 577, 632.
117	Introduced by Lamp, Alvord, Angvick, Robson, Plummer, Keeley: A Bill for an Act entitled: "An Act creating small claims departments of Justices Courts defining their jurisdiction and powers and providing a system of practice and procedure therefor."	380, 469, 523, 529.
118	Introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to repeal Section 24 of the Revised Codes of Montana, 1935, relating to acquisition of lands by the United States:"	338, 535, 551, 563, 566, 632.
Sub. 119	Introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to amend Section 25 of the Revised Codes of Montana of 1935, providing for exclusive jurisdiction of the United States and for the withdrawal of the Act of the Second Legislative Assembly of the State of Montana approved March 5, 1891, and the Act of the Third Legislative Assembly of the State of Montana amending the Act of March 5, 1891, and repealing all Acts and parts of Acts in conflict herewith.".....	422, 462, 533, 551, 557, 578, 637.
120	Introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to amend Section 10068 of the Revised Codes of Montana, 1935, relating to the order of persons entitled to admin-	

No.	Title of Bill	Page
	ister an estate of all persons dying intestate, in the order in which they are respectively entitled thereto and providing that a surviving partner cannot be appointed administrator of the estate."	338, 534, 551, 557, 632.
121	Introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to amend Section 372 and 1556 of the Revised Codes of Montana, 1935, relating to the collection of fees by the Clerk of the Supreme Court, providing for the distribution thereof, and repealing all Acts and parts of Acts in conflict herewith."	338, 339, 535, 551, 557, 632.
124	Introduced by Woods (Judith Basin): A Bill for an Act entitled: "An Act to amend Sections 2815.17 and 2815.25 of the Revised Codes of Montana of 1935, being a part of the Montana Beer Act, and to supplement said act with two new sections relating respectively to the procedure in case of failure of brewers or wholesalers to make returns or pay beer tax and the creation of a lien therefor and the manner of foreclosure and release thereof and to returns by railroads and motor carriers on beer manufactured out of the state and by them transported into and delivered in this state."	362, 465, 526, 550, 558, 632.
125	Introduced by Woods (Judith Basin): A Bill for an Act entitled: "An Act relating to the use of County road and Highway machinery and equipment upon the streets, avenues and alleys of incorporated cities and towns."	362, 469, 525, 542, 550, 578, 582, 618, 619, 637.
127	Introduced by Kroman, Waite, Nutt, Robson, Alvord, Mahoney, Ruffcorn and Weinschrott: A Bill for an Act entitled: "An Act providing for the establishment of Junior Colleges in County High Schools and in School Districts maintaining accredited high schools; providing for the maintenance and support of such Junior Colleges, regulating their courses of study, administration and operation and repealing all Acts and parts of Acts in conflict herewith."	362, 465, 526, 542, 547, 595.
129	Introduced by Committee on Roads and Highways: A Bill for an Act entitled: "An Act authorizing the State Highway Commission to sell any interest acquired in real property for highway purposes which is not necessary for the laying out, altering, construction, improvement or maintenance of any state highway."	362, 465, 479, 484, 491, 524, 533.

No.	Title of Bill	Page
130	Introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to amend Section 8845 of the Revised Codes of Montana of 1935, relating to courts of record may make rules, and repeal all Acts or parts of Acts in conflict herewith.".....	424, 463, 496, 500, 512.
132	Introduced by Alvord: A Bill for an Act entitled: "An Act amending Section 1262.37 relating to the establishment by school districts of High Schools."	362, 465, 532, 551, 558, 637.
136	Introduced by Kroman: A Bill for an Act entitled: "An Act to provide for the designation of certain high schools as vocational training centers, providing for admission to such training centers and for rules and regulations governing applicants for admission, and providing for transfer of apportionment, and for fees."	362, 465, 526, 550, 558, 695.
138	Introduced by Committee on Roads and Highways: A Bill for an Act entitled: "An Act to amend Sections 1751.2, 1751.4, 1751.5, 1751.6, 1751.7 and 1751.9 and to repeal sub-paragraphs "a" and "c" of Section 1751.3, of the Revised Codes of the State of Montana of 1935, an Act regulating the size and weight of highway vehicles; regulating the size and number of trailers and towed vehicles, and limiting the total load permissible for each vehicle and the gross weight of any axle, and prohibiting the use of vehicles with wheels having on their periphery any block, lug, stud, flange, cleat or spike; the issuance of special permits covering the movement of excess loads over highways; the power of the Highway Commission and local road authorities to impose load limit restrictions when conditions warrant; the delegation of authority for the enforcement of statutory load limit restrictions and the penalties that are to be imposed for violations thereof; and repealing all Acts and parts of Acts in conflict herewith.".....	422, 470, 535, 551, 559, 632.
139	Introduced by Committee on Roads and Highways: A Bill for an Act entitled: "An Act amending Section 1760.7 Revised Codes of Montana, 1935, by adding thereto additional provisions authorizing the Registrar of Motor Vehicles to enter into reciprocal agreements to provide that foreign registered and licensed motor vehicles, trailers and semi-trailers may be operated on the highways of Montana without the necessity of registration or licensing in the state when such privilege is extended to reciprocity allowed to motor vehicles, trailer or semi-trailers of this state by the laws of such country, state or territory excluding from	

No.	Title of Bill	Page
	such reciprocal agreements the operation of motor trucks and defining the same."	362, 466, 479, 484, 488, 524.
140	Introduced by Campbell (Missoula): A Bill for an Act entitled: "An Act to amend Chapter 227 of the Revised Codes of Montana of 1935, relating to public contractors licenses and excluding school boards and school districts from the provisions thereof by adding a new subsection to the Chapter."	422, 462, 478, 487.
142	Introduced by Hammond and Haight: A Bill for an Act entitled: "An Act to amend Section 2214.2 of the Revised Codes of Montana, 1935, as amended by Chapter 132 of the Session Laws of the Twenty-fifth Legislative Session, 1937, relating to legalizing and validating tax deed heretofor issued notwithstanding any error in the form, substance or amounts state in notice of application for tax deed unless the amount actually due for taxes, interest and penalty has been tendered to the holder of the tax deed or County Treasurer before the approval of this Act."	380, 469, 527, 542, 549, 554, 562, 563, 567.
144	Introduced by Committee on Water Conservation and Flood Control: A Bill for an Act entitled: "An Act providing for the investigation by the State Water Conservation Board and State Engineer of the waters of this state, and authorizing the state engineer under the direction of the State Water Conservation Board to bring and conduct actions for the adjudication of streams; providing for a reference of issues of fact in water right actions and fixing powers and duties of referees therein; providing for surveys by state engineer, and securing of evidence and making reports and plats; and providing that such reports and plats may be offered and received as evidence, and further fixing procedure in such cases."	421, 462, 510, 512, 516, 517, 529, 531, 542, 578, 632.
145	Introduced by Simmons: A Bill for an Act entitled: "An Act to amend Section 9111 of the Revised Codes of Montana of 1935, as amended by Chapter 175 of the Twenty-fifth Legislative Assembly, 1937, relating to summons—how served, and repealing all Acts and parts of Acts in conflict herewith."	362, 466, 527, 542, 549, 595.
146	Introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act expressing the consent of the State of Montana to the composition of municipal indebtedness of cities and towns of the State of Montana under the provisions of the	

No.	Title of Bill	Page
	"Municipal Corporation Bankruptcy Act" of the United States empowering such cities and towns to act thereunder and under the order and decrees of the Bankruptcy Court relative thereto and for the composition of their municipal debts; providing that this Act shall take effect from and after its passage and approval, and repealing all Acts and parts of Acts in conflict herewith."	362, 466, 496, 501, 506, 537.
147	Introduced by Drumheller: A Bill for an Act entitled: "An Act to amend Section 3742, Revised Codes of Montana 1935, relating to transportation, possession and disposal of game animals or parts thereof to exclude from the provisions thereof the hides of elk and deer."	466, 493, 500, 503, 537.
149	Introduced by Committee on Irrigation and Water Rights: A Bill for an Act entitled: "An Act to amend Section 7136, Revised Codes of Montana, 1935, so as to authorize Water Commissioners appointed under provision of Chapter 82, Civil Code, Revised Codes to admeasure and distribute stores and supplemental water appropriated and acquired by the State Water Conservation Board in the same manner and under the same laws, rules and regulations as decreed water rights are admeasured and distributed and providing for the payment of compensation of such Water Commissioner or Commissioners for admeasuring and distributing such stored and supplemental waters."	422, 462, 510, 516, 519, 553, 562, 600, 629, 637.
150	Introduced by Campbell (Meagher): A Bill for an Act entitled: "An Act providing for the creation of stock lanes for the driving of and travel of live-stock thereon; defining the same as public highways and providing that the General Laws of this State with respect to the establishing, altering and vacating of highways shall apply thereto."	380, 464, 494, 501, 506, 563.
151	Introduced by Waldrop, Hammond and Woods: A Bill for an Act entitled: "An Act providing for the appointment of deputies to county officers in counties of the Seventh Class and repealing all Acts and parts of Acts in conflict herewith."	362, 466, 478.
152	Introduced by Dahl: A Bill for an Act entitled: "An Act providing for the assignment or transfer of liability in whole or in part under policies written by a rural mutual insurance company organized under the provisions of Sections 6170 to 6205 inclusive of the Revised Codes of Montana of 1935, to another company or companies organized under said laws."	380, 468, 478, 484, 487, 524.

No.	Title of Bill	Page
153	Introduced by Committee on Education: A Bill for an Act entitled: "An Act to amend Sections 1263.3, 1263.6, 1263.8, 1263.12, and 1263.19, Revised Codes of Montana, 1935, all relating to the high school budgets."	459, 464, 561.
155	Introduced by Foor: A Bill for an Act entitled: "An Act amending Section 10,000 of the Revised Codes of Montana, 1935, relating to reports of Public Administrators on condition of estates and giving notice thereof."	380, 468, 494, 503, 512, 514, 545.
156	Introduced by Foor: A Bill for an Act entitled: "An Act relating to freedom of speech transmitted over and by means of radio broadcasting stations the liability under the law of libel and defamation of the owners and operators of such stations who without actual malice allow and permit their facilities to be used in the discussion of controversial or any other subjects; allowing and permitting discretion to be exercised in the submission for permanent filing of a copy of the complete address, discussion, or other form of expression intended or proposed to be broadcast and transmitted over the facilities of such station or stations, and designating the maximum time for the submission of such copy and relating to evidence of malice; declaring the liability under the law of libel and defamation of persons using broadcasting facilities, including any person, firm or corporation owning or operating such station or stations, and repealing all Acts or parts of Acts in conflict herewith."	459, 467, 523, 524, 528, 553, 595.
158	Introduced by Committee on Counties and Towns: A Bill for an Act entitled: "An Act relating to the floating indebtedness of counties outstanding at close of business on the Twenty-eighth Day of February, 1939, and providing for the levying of special taxes or the issuance of funding bonds to pay such indebtedness when the same exceeds a certain amount."	380, 468, 526, 550, 559, 595.
161	Introduced by Mahoney and Foor: A Bill for an Act entitled: "An Act providing for the lettering on State owned motor vehicles, the kind, size and place of letters, vehicles in service of the Governor and Highway Patrol excepted; and providing for penalties therefore."	380, 459, 468, 511, 516, 519, 563.
162	Introduced by Committee on Oils and Leases: A Bill for an Act entitled: "An Act to amend Section 2399, Montana Revised Codes, 1935, relating to the taxation of persons engaged in the business of producing petroleum."	380, 468, 501, 534.

No.	Title of Bill	Page
164	Introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to amend Sections 1431, 1432, 1433, 1438, 1439, 1440, 1441, 1443 and 1444 (Revised Codes of Montana, 1935) of the Political Code, relating to the apprehension, examination, hearing and commitment of insane persons and providing for their maintenance and for procedure subsequent to hearing or commitment, and repealing all Acts and parts of Acts in conflict herewith."	422, 462, 494, 500, 504, 545.
165	Introduced by Committee on Finance and Claims: A Bill for an Act entitled: "An Act to cancel of record defaulted war defense loans, seed or otherwise, made to or held by the State of Montana, as authorized by Sections 5624 to 5637 inclusive R. C. M. 1921, which have been extinguished by the Statute of Limitations or other Laws of the State of Montana."	380, 468, 535, 551, 559, 632.
166	Introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to amend Sections 9367, 9369, 9370 and 9371, Revised Codes of Montana, 1935, relating to findings of fact and conclusions of law and entry of judgment thereon, when reversals may be had for defective findings, exceptions thereto and proceedings thereon, and repealing all Acts and parts of Act in conflict herewith."	421, 462, 534, 551, 563, 567, 637.
168	Introduced by Lott: A Bill for an Act entitled: "An Act to amend Section Six of Chapter Fifty-two, Laws of Montana, 1937; giving to the Montana Livestock Commission power to appoint Livestock inspectors at livestock markets; to fix their salaries which shall be paid by the livestock markets where employed and giving power to the Montana Livestock Commission or to the Montana Livestock Sanitary Board to adopt rules and regulations for livestock markets."	459, 464, 511.
169	Introduced by Nutt: A Bill for an Act entitled: "An Act to amend Section 1999 of the Revised Codes of the State of Montana, 1935, as amended by Chapter 130 of the Laws of Montana, Twenty-fifth Session 1937, relating to the classification of property for taxation."	421, 472, 534, 551, 561, 569.
171	Introduced by Haight: A Bill for an Act entitled: "An Act to amend Section 5098 and Section 5108.16, Revised Codes of Montana, 1935, relating to the police departments of cities and towns and providing for the creation of a police commission in cities of the first and second class, and provid-	

No.	Title of Bill	Page
	ing a minimum wage to be paid police officers in cities of the first class."	468, 485, 492, 500, 524.
172	Introduced by Simmons and Drumheller: A Bill for an Act entitled: "An Act to amend Section 2196 of the Revised Codes of Montana of 1935, relating to Treasurer to enter in a book description of land sold; if taxes paid subsequent to prior tax sale certificate, County Treasurer to make entry, and repealing all Acts and parts of Acts in conflict herewith."	421, 471, 523, 524, 529, 563.
173	Introduced by Simmons and Drumheller: A Bill for an Act entitled: "An Act to amend Section 10279 of the Revised Codes of Montana of 1935, relating to validation of sales—curative deeds, and repealing all Acts and parts of Acts in conflict herewith."	422, 471, 494, 500, 505, 545.
175	Introduced by Wood, Kroman, Haite, Burke, Nutt and Weinschrott: A Bill for an Act entitled: "An Act to amend Chapter 64 of the Laws of the Twenty-fifth Legislative Assembly of the State of Montana being 'An Act for the cooperation with the State of Wyoming in water right matters and providing such appropriations of water to be subject to reciprocal legislation of such State of Wyoming and repealing all laws in conflict with the provisions of this Act.'	459, 464, 526.
176	Introduced by Foor: A Bill for an Act entitled: "An Act providing for the release of sureties on official bonds of all state, county and other officers, and from the bonds of executors, administrators and guardians and other undertakings, and prescribing the procedure therefor; providing that an office failing to file a new undertaking thereby forfeits office; prescribing the liability of and amount of the new undertaking; amending Sections 494, 502 and 503 and repealing Sections 495 to 501 inclusive, of the Revised Codes of Montana, 1935."	422, 471, 486, 535, 551, 560, 595.
177	Introduced by Alvord and Pauline: A Bill for an Act entitled: "An Act relating to the time of assessment and levy of taxes on motor vehicles and collection of taxes thereon and amending Section 1759 of the Revised Codes of Montana, 1935, as amended by Chapter 72 of the laws of the Twenty-fifth Legislative Assembly of the State of Montana and repealing all Acts and parts of Acts in conflict herewith."	422, 471, 495, 500, 512, 516, 553, 563, 564, 565.

No.	Title of Bill	Page
181	Introduced by Burke: A Bill for an Act entitled: "An Act to amend Section 2841 of the Revised Codes of Montana, 1935, relating to workmen's compensation; repealing Section 2843 of the Revised Codes of Montana, 1935, and all Acts and parts of Acts in conflict herewith."	421, 471, 493, 500, 504, 545.
183	Introduced by Burke: A Bill for an Act entitled: "An Act to amend Section 3083.3 of the Revised Codes of Montana, 1935, relating to hours of labor in sugar refineries by permitting labor in excess of eight (8) hours incident to change of shifts."	459, 466, 495, 503.
186	Introduced by Ecton: A Bill for an Act entitled: "An Act authorizing the making of leases of safe deposit vaults and boxes to two or more persons as joint tenants."	424, 464, 478, 484, 488, 524.
188	Introduced by Lamp: A Bill for an Act entitled: "An Act to amend Section 10178, Revised Codes of Montana, 1935, relating to limitation of actions on rejected claims against estates of deceased persons."	459, 463, 496, 501, 506, 563.
193	Introduced by Campbell (Missoula): A Bill for an Act entitled: "An Act to create a Legislative Reference Bureau, to provide for its function and maintenance; providing for the appointment of a director and for the employment of necessary assistants from time to time and fixing the compensation of such employees, and to repeal Section 1568 of the Revised Codes of Montana, 1935."	459, 464, 496, 501, 511.
195	Introduced by Committee on Aviation: A Bill for an Act entitled: "An Act to invest the Montana State Highway Commission with authority to assist municipal corporation in the construction and development of airports by lending equipment, machinery and technical services and recognizing and declaring an emergency."	459, 463, 502, 512, 514, 545.
197	Introduced by Plumer: A Bill for an Act entitled: "An Act authorizing the creation of a safety or reserve fund by mutual hail, fire, lightning and other insurance companies organized under the provisions of Section 6170 to 6205 of the Revised Codes of Montana of 1935, and authorizing investment of the reserve fund thereof."	422, 471, 478, 484, 488, 537.
198	Introduced by Pauline, Hammond and Smith: A Bill for an Act entitled: "An Act to create the Mon-	

No.	Title of Bill	Page
	tana Armory Board and to define its powers and duties."	422, 471, 561.
199	Introduced by Weinschrott, Nutt, Dahl, Burke, Wilson, Waite, Wood, Kroman, Starks, and Martinson: A Bill for an Act entitled: "An Act to require County Commissioners to annually select tax title property to be sold and offer the same for sale, and authorizing the County Commissioners, with the advice of the County Agricultural Planning Committees, to establish and use policies and provide for leasing tax title lands, under such conditions as will best advance public benefit and welfare, including leasing for five to ten years for grazing purposes, with power in the commissioners to fix the carrying capacity of the land; and to amend Section 2208.1 Revised Codes of the State of Montana, and repealing all Acts and parts of Acts in conflict herewith."	422, 471, 527, 542, 548, 595.
Sub. 200	Introduced by Judiciary Committee: A Bill for an Act entitled: "An Act providing for the adoption of the provisions and regulations of the 'National Electrical Safety Code' as approved by the American Engineering Standards Committee, November 15, 1927, and all revisions thereof now or hereafter approved and adopted by the American Engineering Standards Committee in the construction of all Rural Electrification Administration Projects and repealing all Acts and parts of Acts in conflict herewith."	459, 467, 534, 551, 560, 578, 632.
201	Introduced by Burke: A Bill for an Act entitled: "An Act to define noxious weeds and noxious weed seed and declaring them a nuisance; to authorize the formation and creation of noxious weed control and noxious weed seed extermination districts, providing for the management thereof, the control of work therein, the determination of and levying of assessments therein; authorizing a quarantine against introduction of noxious weeds and weed seed into the State of Montana and into any county thereof; providing penalties for violations of the provisions of this Act; authorizing the cooperation of the Board of County Commissioners with any State or Federal Aid program in furthering the operation of this Act; and repealing Sections 4506, 4507, 4508, 4509, 4510, 4511, 4512, 1513, 1513.1 and 4513.2 of the Revised Codes of Montana, 1935, as amended by Chapter 41 of the Session Laws of 1937, and all Acts and parts of Acts in conflict herewith."	422, 470, 501, 502, 512, 516, 519, 548, 595.

No.	Title of Bill	Page
202	Introduced by Cotter: A Bill for an Act entitled: "An Act to amend Section 3847.27 of the Revised Codes of Montana, 1935, exempting certain Class "B" Motor Operators from the provisions of the tax on gross operating revenue and amend all Acts and parts of Acts in conflict herewith."	459, 468, 510, 512, 515, 528, 530, 531, 541, 595.
206	Introduced by Arnold, Lamp, Angvick, Weinschrott, Nutt, Robson, Plumer, Metzger, Foor and Dahl: A Bill for an Act entitled: "An Act to amend Sections 12103 and 12104 of the Revised Codes of Montana, 1935, relating to judgment of death; providing that the same shall be inflicted at a point in the state provided for that purpose; providing as to whom may attend; providing for execution under supervision of sheriff of the county; and providing for the return of the sheriff of the county upon the death warrant showing the execution thereof."	459, 463, 527, 550, 561, 563, 566, 586, 627, 628, 630, 634.
207	Introduced by Burke: A Bill for an Act entitled: "An Act relating to salary and other small installment loans, providing for supervision thereof by the State Banking department, fixing a maximum rate of interest thereon, providing for penalties and violation of the provisions of this Act, and repealing all Acts and parts of Acts in conflict herewith."	424, 464, 494, 497, 503, 508, 512, 531, 542, 554, 562, 578, 632.
Sub. 209	Introduced by Committee on Roads and Highways: A Bill for an Act entitled: "An Act to amend Section 3847.1 and Section 3847.2, of the Revised Codes of Montana, relating to the definition of terms of the Motor Carrier Act; for supervision and regulation of motor carriers by the Board of Railroad Commissioners, including the supervision by the said Board of Railroad Commissioners over the rates, fares, charges and classifications of motor carriers."	459, 466, 510, 512, 515.
210	Introduced by Lamp and Alvord: A Bill for an Act titled: "An Act to amend Section 9632 of the Revised Codes of Montana, 1935, as amended by Chapter 34 of the Session Laws of the State of Montana, relating to the time for appearance of defendant and to entry of judgment in Justice of the Peace courts when defendant fails to appear and answer or demur."	422, 470, 527, 542, 549, 563.

No.	Title of Bill	Page
211	Introduced by Lamp and Alvord: A Bill for an Act entitled: "An Act to amend Section 10921 of the Revised Codes of Montana, 1935, relating to making arrests, seizure or levy upon property, or dispossession of lands, without regular process or legal authority, by adding thereto a provision prohibiting the issuance by Justice of the Peace of writs or process signed in blank and delivery of the same to any person or corporation, with the intent that they may fill in the blanks and cause service thereof or levy upon and seizure of property thereunder, and providing a penalty therefor."	422, 470, 523, 524, 529, 595.
212	Introduced by Smith: A Bill for an Act entitled: "An Act relating to appropriation of water in the watershed of origin and use in another watershed and prohibiting the diversion thereof until and unless the necessity of lands in the watershed of origin are first supplied."	424, 464, 535.

No.	Title	Page
SENATE JOINT MEMORIALS		
1	Introduced by Alvord and Ruffcorn: "A resolution memorializing the Congress of the United States for the passage of legislation amending the United States Tariff Laws by raising the tariff rates on United States flags and other national insignia sufficiently to protect their manufacture in the United States."	80, 84, 87, 88, 103.
2	Introduced by Committee on Federal Relations: "A Memorial to the Congress of the United States for the passage of an Act incorporating the principles of the Townsend National Recovery Plan substantially as set forth in a Bill entitled H. R. 4199 introduced into the House of Representatives in the First Session of the 75th Congress of the United States of February 2, 1937.	121, 122, 167, 219, 253, 276.
3	Introduced by Kroman: "A Memorial in support of the Committee of Investigation of Un-American Practices."	121, 122, 166, 167, 219.
4	Introduced by Baker of Dawson, Calder, Kroman: "A Memorial to continue the development of the Buffalo Rapids Project for the purpose of irrigation lands, with water diverted from the Yellowstone River in the counties of Dawson, Prairie and Custer, and further providing the stabilization of farming and stock growing industry."	107, 121, 141, 151, 192.
5	Introduced by Nutt, Keeley, Harlen, Angvick, Mann, Campbell (Missoula), Kathan, Ruffcorn, Burke, Henderson, Arnold, Dahl, Plumer, Davis, Kroman and Bateman: "A Memorial to Congress of the United States of America requesting it to assist the beet sugar industry in Montana."	150, 167, 219, 256, 297.
6	By Foor and Plumer: A Resolution Memorializing the Congress of the United States; indorsing the passage and approval of Senate Joint Resolution Number 20 introduced in the Senate of the United States on January 4, 1939, by the Honorable Burton K. Wheeler, United States Senator; providing for the cancellation of certain crop production and harvesting loans heretofore made by the United States government and for other purposes.	272, 323, 484, 489, 524.
7	By Ruffcorn: A Joint Memorial to the Congress of the United States requesting the enactment of	

No.	Title	Page
	appropriate legislation for the creation of an air base at Fort Peck dam.	272, 324, 484, 489, 524.
8	Introduced by Arnold, Waite and Lamp: A Resolution Memorializing the Congress of the United States, providing for extending the time of the present interest rate on all Federal Land Bank Farm Loans.	281, 283, 323, 484, 490, 524.
10	Introduced by Martinson and Lott: "A Joint Memorial requesting a Congressional investigation of the smelting and refining business in order to determine means for the alleviation of economic distress unemployment and loss to small mine operators as a result of these smelters being closed."	290, 292, 323, 484, 490, 524.
12	Introduced by Swertelle, Metzger, McQuitty: "A Memorial in relation to the construction of a water conservation project in the valley of the Musselshell river, known as Dead Man's Basin or Lower Musselshell project."	307, 309, 379, 484, 490, 537.
13	Introduced by Foor: "A Resolution Memorializing the Congress of the United States for the passage of the legislation making an allowance to all active members of the officers of the reserve corps of the army of the United States."	362, 464, 510, 512, 515, 545.
14	Introduced by Mulholland: "A Memorial to the Congress of the United States requesting the enactment of legislation to bring workmen disabled with silicosis within the scope of the Social Security Act and requesting grants in aid to states desiring to enact silicosis compensation laws."	362, 464, 495, 500, 508, 537.
16	Introduced by Nutt et al: "A Memorial to Honorable Franklin D. Roosevelt, president of the United States, and to the Honorable Senate and House of Representatives of the United States in Congress assembled."	422, 470, 493, 500, 507, 537.
17	Introduced by Pauline and Mahoney: "A Memorial to the Congress of the United States, urging the passage of an amendment to the Social Security Act providing for the administration of Unemployment Compensation by the Federal Government instead of by the several states and removing the burden of the Social Security Tax from the employers payroll."	422, 469, 517, 537, 543, 551.

No.	Title	Page
18	Introduced by Woods: "A Resolution Memorializing the Congress of the United States for the passage of legislation for the development of the Pig-Eye Basin Storage Project in Judith Basin county Montana as a flood control and water conservation measure."	422, 463, 493, 500, 507, 537.
19	Introduced by Campbell (Missoula), Lott and Martinson: "A Resolution Memorializing the Congress of the United States for the passage of legislation authorizing the continuance of the purchase of silver."	459, 466, 495, 500, 508, 537.
SENATE JOINT RESOLUTIONS		
1	Introduced by Martinson and Lott: "A resolution requesting the Governor of the State of Montana to fill the next vacancy on the State Highway Commission with a man who will represent the rural areas of the State."	101, 104, 110, 128, 135.
2	Introduced by Mann, Burke, Campbell (Meagher) and Murphy: "A resolution requesting the Governor of the State of Montana to appoint a commission to make a study of conditions at the State Prison and at the State Industrial School and to make recommendations to the Twenty-seventh Legislative Assembly at its session in 1941 of legislation relating thereto and to consider the advisability of a third intermediate penal or reformatory institution."	421, 469, 486, 492, 493.
3	Introduced by Mulholland, Campbell (Missoula): "A resolution requesting the governor of the State of Montana to appoint a commission to continue a study of occupational diseases and particularly silicosis in the State of Montana, and to make recommendations to the Twenty-seventh Legislative Assembly at its session in 1941 of legislation relating thereto."	459, 467, 494, 500.
4	Introduced by Arnold: A Joint Resolution entitled: "A Resolution authorizing the Governor of the State of Montana to appoint a commission to compile, arrange and codify into statute form the several laws of the State of Montana, and the decisions of the Supreme Court of the State of Montana, interpreting said laws relating to the appropriation of waters within the State of Montana for a beneficial use and to make recommendations of changes, alterations and modifications of such laws as may be deemed proper."	459, 467, 510.

No.	Title	Page
5	Introduced by Robinson, Nutt, Harlen, Ruffcorn and Foor: "A resolution requesting Congress of the United States to give effect to the 'Bankhead-Jones Farm Tenant Act' of July 22, 1937, to permit a continuation in Montana of Rural resettlement provisions and to provide for the purchase, development, and resale of land to farm tenants."	422, 469, 486, 492, 499, 524.
6	Introduced by Dahl and all other members of the Twenty-sixth Legislative Assembly: A Resolution relating to the visit to the United States of America, of Crown Prince Olav, Crown Princess Martha, and their staff, of Norway.	362, 363, 434, 484, 491, 499, 595.
9	?	637.

HOUSE JOURNAL

of the

Twenty-sixth Legislative Assembly

of the

State of Montana

FIRST DAY

House of Representatives,
Helena, Montana,
January 2, 1939.

Pursuant to the Constitution of the State of Montana, at the hour of 12:00 o'clock noon, the House of Representatives of the Twenty-sixth Legislative Assembly of the State of Montana, was called to order by the Honorable Sam W. Mitchell, Secretary of State of the State of Montana.

The Secretary of State then appointed Reverend Thomas Huxley as Temporary Chaplain; E. N. Joffray as Temporary Sergeant-at-Arms, James P. Brennan as Temporary Chief Clerk; Ray Campbell as Temporary Assistant Chief Clerk, and Hilda Richeson as Temporary Journal Clerk.

Invocation by the Reverend Thomas Huxley.

The Chief Clerk called the roll and the members presented their certificates of election.

The Honorable A. H. Angstman, Associate Justice of the Supreme Court of Montana, having been introduced by the Secretary of State, administered the following oath:

"I do solemnly swear that I will support, protect and defend the Constitution of the United States and the Constitution of the State of Montana and that I will discharge the duties of my office as a member of the House of Representatives with fidelity; that I have not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure my nomination or election except for necessary and proper expenses expressly authorized by law; and I have not knowingly violated any election law of this State, or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office except the compensation allowed by law, SO HELP ME GOD."

Thereupon the following members, having presented their certificates of election, subscribed to the foregoing oath:

Acher, Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher,

Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Manning, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Schofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck. All present.

The Secretary of State having called for nominations for Speaker, McLeod of Cascade nominated D. M. Manning of Treasure County and Leuthold of Stillwater nominated Melvin Hoiness of Yellowstone County, and said nominations were duly seconded. There being no other nominations for Speaker, the Secretary of State declared the nominations closed. The roll was called and the following votes were cast for Manning:

Acher, Anderson (Cascade), Antrim, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Byrne, Cannon, Cole (Prairie), Daniel, DeDobbeleer, Dougherty, Duncan, Ekern, Findlater, Flynn, Freshman, Friedl, Goodwin, Hess, Hoiness, James, Kirscher, Lambert, Lehrkind, Lippard Long, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Metlen, Morrison, Moss (Custer), Murray, Parker (Wibaux), Petersen, Rice, Ryan, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes Sullivan, Tyler, Vanderbeck, Wenger, Zuck. Total 60.

The following votes were cast for Hoiness:

Acton, Anderson (Phillips), Armstrong, Aronson, Baker, Balgord, Brower, Clark, Cole (Petroleum), Collins, D'Ewart, Dunn, Emswiler, Gebhardt, Green, Hageman, Hammond, Horrigan, Kellogg, Laubach, Leuthold, Liggett, Listug, Longenecker, Lowe, Manning, McFatridge, Miles, Moss (Flathead), Newell, O'Connor, Padbury, Parker (Flathead), Potter, Reed, Roehl, Scofield, Smith, Watson, Williams, Wilson, Woods. Total 42.

The Secretary of State appointed Archie D. McLeod and Ben B. Miles to escort the Speaker to the Chair. The Secretary of State introduced the Speaker to the House and he assumed the chair.

It was moved by McLeod and duly seconded and carried, that the Rules, Joint Rules and Order of Business of the Twenty-fifth Legislative Assembly be adopted as the Rules, Joint Rules and Order of Business of the Twenty-sixth Legislative Assembly until the Committee on Rules, Joint Rules and Order of Business shall report.

It was moved by McLeod and duly seconded, that the following Democratic nominees be elected as officers and attaches of the House of the Twenty-sixth Legislative Assembly:

Speaker Pro Tem	Jasper DeDobbeleer
Floor Leader	Archie D. McLeod
Chaplain	Reverend Thomas Huxley
Sergeant-at-Arms	E. N. Joffray
Chief Clerk	James P. Brennan
Journal Clerk	Hilda Richeson

It was moved by Hoiness, duly seconded, that the following Republican nominees be elected as officers of the House of the Twenty-sixth Legislative Assembly:

Speaker Pro Tem	Padbury of Lewis and Clark
Floor Leader	Ben B. Miles of Sweet Grass

It was moved by McLeod that the Chief Clerk be instructed to cast 58 votes for the Democratic nominees and 44 votes for the Republican nominees. Motion duly seconded and carried. Vote was so cast and the Speaker declared the Democratic officers and attaches elected.

It was moved by McLeod, duly seconded and carried that a committee of three members be appointed to notify his Excellency, the Governor, that the House is now organized and ready to receive any message he wishes to convey and also to ascertain the time set for the message.

The Speaker appointed Metlen of Beaverhead, DeDobbeleer of Valley, and Green of Dawson as the committee to notify the Governor.

It was moved by McLeod, duly seconded and carried, that a committee of three members be appointed to notify the Honorable Senate that the House is organized and ready for business. The Speaker appointed the committee as follows: Stromnes of Cascade, Goodwin of Silver Bow and Padbury of Lewis and Clark.

It was moved by McLeod, duly seconded and carried, that the Speaker be authorized to appoint a clerk and page to assist him in the duties of the House and that the Majority Floor Leader be authorized to appoint a clerk to assist him in his duties in the House.

It was moved by McLeod, duly seconded and carried, that the Committee on Employment appoint a clerk to assist the Minority Floor Leader in his duties in the House.

Senators Haight, Chapman and Campbell, committee from the Honorable Senate, reported that the Honorable Senate was organized and ready for business.

House recessed.

House resumed. Mr. Speaker in the Chair.

The committee appointed to notify the Governor that the House was organized, reported that at 7:30 o'clock Tuesday Evening, January 3, 1939, the Governor will deliver his message to the Joint Session of the House and Senate.

The Speaker appointed the following committees:

Employment: Lambert of Hill, Chairman; Lippard of Chouteau, Vice-Chairman; Sorte of Daniels, Lehrkind of Gallatin, Anderson of Phillips, Parker of Wibaux and Roehl of Fergus.

Mileage and Per Diem: Long of Fallon, Miles of Sweet Grass and Lynch of Chouteau.

Seating: Goodwin of Silver Bow, Green of Dawson and Stevens of Cascade.

Journal: Hess of Hill, Liggett of Musselshell and Vanderbeck of Madison.

It was moved by McLeod, duly seconded and carried, that the House adjourn until 11:00 o'clock A. M. Tuesday, January 3, 1939.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

SECOND DAY

House of Representatives,
Helena, Montana,
January 3, 1939.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call all members present except Mike Loughran of Silver Bow, who was excused.

Mr. Speaker: We, your committee on Journal, having examined the Journal for the First Legislative Day, find the same to be correct.

H. H. HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Robert A. Siegling: A Bill for an Act entitled: "An Act relating to gambling games, and gambling devices; providing for the operation thereof under license; providing for certain license fees and the use of the money obtained therefrom; prohibiting minors from playing and loitering about such games; designating the penalties for violation of the provisions thereof; and repealing all acts and parts of acts in conflict therewith."

MESSAGES FROM THE SENATE

It was moved by Spiegel, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that:

Senator Leonard Plank of Liberty County, was this day elected President Pro Tem and the following officers of the Senate were named: George A. Burr, Secretary; Tom Flemming, Sergeant-at-Arms and O. A. White, Chaplain.

The following motion was this day made and duly adopted:

By Plank: That the Rules, Joint Rules and Order of Business of the Twenty-fifth Legislative Assembly be adopted as the Rules, Joint Rules and Order of Business of the Twenty-sixth Legislative Assembly until the Committee on Rules, Joint Rules and Order of Business shall report.

The following committees were this day appointed:

Committee on Committees: Hammond, Chairman; Chapman and Mann.

Committee on Employment: Murphy, Chairman; Kathan and Calder.

Committee on Journal: Martinson, Chairman; Mahoney and Davis.

Committee on Mileage and Per Diem: Harlen, Chairman; Ruffcorn and Nutt.

Respectfully,

GEORGE A. BURR,

Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Goodwin, duly seconded and carried, that any married woman gainfully employed, who takes leave of absence to seek employment as an attache in the House or whose husband is qualified to earn a living shall be denied employment by the Employment Committee of the House.

It was moved by McLeod, duly seconded and carried, that a committee of three be appointed to meet with a like committee from the Honorable Senate to invite the members of the Supreme Court and the elected state officers to hear the Governor's message at Joint Session this evening. Whereupon the Speaker appointed Hoiness of Yellowstone, Stafford of Cascade and Brower of Lake.

It was moved by McLeod, duly seconded and carried, that the House recess until 7:15 o'clock P. M.

EVENING SESSION

House resumed at 7:15 o'clock P. M. Mr. Speaker in the Chair.

A Committee from the Honorable Senate informed the House that the Senate was ready to meet in Joint Session for the purpose of hearing the message of his Excellency, the Governor.

President of the Senate in the Chair. The Joint Session was called to order.

The Secretary of the Senate called the roll of the Senate. The Chief Clerk of the House called the roll of the House. A quorum of both Houses being present, the Joint Session convened.

It was moved by Senator Plank of Liberty County, duly seconded and carried, that a committee of five be appointed to inform his Excellency, the Governor, that the members of the Senate and the House were in Joint Session and ready to hear his message. Thereupon the President of the Senate appointed Senators Drumheller and Baker of Dawson: and Representatives Melin, Goodwin and Metlen as such committee.

His Excellency, Governor Roy E. Ayers, then appeared and on being escorted to the Chief Clerk's desk, was introduced by President Hugh Adair of the Senate and delivered the following message to the members of the Senate and House:

GOVERNOR'S MESSAGE

Mr. President, Mr. Speaker and Members of the Twenty-Sixth Legislative Assembly:

Again it becomes my duty to appear before the duly elected members of a legislative assembly of our State to submit to you a message on the condition of the State, and also make such recommendations as I may deem expedient. I approach this task with a full understanding of the necessity for sincere cooperation on the parts of that department which you comprise and the department over which it is my high privilege to preside, to the end that the welfare of the people of Montana may be adequately protected and constructively promoted.

Since the convening of the last session, and the beginning of the present state administration, we have had a marked mixture of adversity and good fortune for the people of Montana. Continued unemployment and unfavorable crop conditions in some sections have imposed inescapable burdens upon the state government. Even with the generous assistance which the federal government has extended, your governing authorities have often been confronted by serious difficulties in their efforts to prevent human suffering, and provide the actual necessities of life to those beset by misfortune. Nevertheless, we can all take comfort from certain developments during this time. An abundance of moisture which definitely broke an extended period of disastrous drought, not only enabled a majority of our farmers to produce one of the largest cereal crops ever harvested in Montana but also brought forth a heavy crop of hay and restored our range lands to a high state of usefulness. While the prices of some agricultural products are still discouragingly reduced, we cannot help deriving satisfaction from the re-assurance of the splendid productivity of our soil under reasonably favorable climatic conditions.

During recent months, also, there has been a notable increase in employment, particularly in some of our larger industries, and fairly satisfactory business and financial conditions are reported from many sections of the State.

I have been particularly impressed, as I know all of you have, by the courageous spirit of our people and the undiminished faith they have exhibited in their state and its certain return to a condition of prosperity. That same spirit in our pioneers established the foundations of this splendid commonwealth and will continue to be the driving force which will enable us to pass along a prideful heritage to future generations of Montanans.

But if we are to have proper regard for the welfare of those now living as well as of those who are to come after us, we must be diligent in our efforts to provide and maintain an honest, economical, businesslike governmental management. With that end in view, two things are essential: The people must not be asked to give of their earnings, in the shape of taxes of any sort, more than is absolutely necessary to meet the needs of government; and second every dollar raised for public purposes must be wisely expended; I might add, as a third essential, a most persistent effort to avoid incurring public indebtedness lest the credit of the State be needlessly impaired.

The problems of government were never so important or complex in the peacetime history of the world as they are today. We seem to be moving by leaps instead of by more or less evolutionary processes. Perhaps this is progress, but it is also good common sense to look carefully before we leap and take stock of finances. In acceptance of new programs we must pay attention to the fundamental rules of sound business. We must strive at all times that Montana maintain a balanced budget.

I am pleased to direct your attention to the record made in this respect during the past two years. For the first time in twenty years, our general fund was in balance over a period of nearly eighteen months. It is only slightly off now, as I shall instantly show, but new demands continually threaten this condition. We are on thin ice. It is up to you to see that we do not break through.

I crave your indulgence while I briefly present to you comparative figures relating to the State's financial situation.

The overdraft of the general fund on January 1, 1935, was \$1,770,-205.73. On January 1, 1937, the overdraft was \$944,571.03. That was the date upon which the present administration took over the reins of government.

On January 1, this year, the overdraft was \$566,000, but this does not take into account the sum of \$411,000 in specially impounded funds held in the treasury. With this deducted, the instant deficit in the general fund is but \$155,000. We hope this will be wiped out by receipts now in process of collection and transmission to the treasurer.

Incidentally, I strongly urge that these impounded funds, amounting to \$411,000, be forthwith transferred to the general fund by appropriate legislative action, and I might suggest that a portion of it be the substance of your Appropriation Bill Number One.

This satisfactory condition of our state finances has been achieved in the face of the facts that we have, during the past two calendar years, paid off the \$944,571.03 of outstanding warrants evidencing the overdraft of two years ago and \$3,085,952.75 in principal and interest of our bonded indebtedness. These things have been accomplished notwithstanding all the new burdens that have been voluntarily assumed and those which have been thrust upon us with the changing conditions with which all are familiar. Chief of these new burdens is the extraordinary expenditures required of the Public Welfare Commission.

Further, to give you an accurate picture of the State's financial condition, I desire to set before you the present indebtedness which is as follows:

There are outstanding at the present time capitol building, educational institution, highway and special project bonds in the sum of \$9,137,224.25.

I especially call your attention to the status of the capitol building bonds, a matter which I suggest should receive your attention. Of the total amount of these bonds, \$576,177.00, the principal in the sum of \$418,000 and defaulted interest in the sum of \$50,000 will be due and payable in April of this year, and another \$100,000 will be payable a year later. I recommend that provisions be made whereby these bonds may be refunded at a lower rate of interest and at least the accrued interest now in default be paid.

Proceeding further with an analysis of the state's bonded indebtedness, it may be stated that the highway debenture bonds now outstanding in the sum of \$1,290,000 are being regularly retired from proceeds of the gasoline tax and that the special project bonds in the sum of \$2,589,000 issued for the construction of buildings at the various units of the Greater University of Montana, are secured by special income funds and by the land grants to those institutions.

Then, in the final analysis, our outstanding bonds, the liquidation of which must be charged against the revenues collected under the general tax laws of the state, amount to but \$4,282,000.

You will have placed before you the budget prepared by the State Budget Commission. It will be found to contain requests from the heads of institutions, departments, boards and commissions in a total sum which is greatly in excess of the anticipated revenues of the state for the biennium for which appropriations will be made. Whenever we have felt increases justified, we have so indicated. In several instances, however, we have chosen to submit to you the requests without recommendations leaving to your collective judgment, formed after exhaustive investigations by your proper committees, the task of determining not only what is proper but also how much it is possible to allot to each of the state agencies and still observe the explicit constitutional provision that no more than the anticipated revenues shall be appropriated,—this you must not do.

I told the Assembly in my inaugural address two years ago that I would drive for substantial reduction in state levies against real property with the hope that in the end it could be entirely eliminated. And now I report to you that an average reduction of $1\frac{1}{2}$ mills on the total state taxable valuation was effected this last calendar year, and that it reflected to the total extent of over \$500,000 on the taxpayers' receipts last fall, and that every taxpayer received his proportionate benefit. This amounted to a benefit of approximately \$1.00 for every man, woman and child in the state.

I realize that whenever an apparently impelling need appears, there is always the temptation to seek about for additional revenues to meet that need. In this connection, I am constrained to say that the imposition of more taxes upon any of the property in the state is a matter for the most serious consideration. It has become an accepted fact that property tax levies of every description can, and frequently are, raised to the point of diminishing return. We have had thousand of instances here in Montana which confirm the validity of this theory. Taxes assessed against farm and pasture lands and other forms of real estate have been so high that owners of such property in all too many instances have had no option other than to permit them to become delinquent and cause loss of their property. In order that there may be no misunderstanding of my own position, I here assert that I shall not approve any measure increasing taxes on real property and would be most grateful if I could be given an opportunity to approve further reductions in that field of taxation, to the ultimate end that real estate taxes for state purposes be eliminated.

I shall go further and point out that all businessmen, in addition to those owning and using real property, are at present being taxed at figures which could easily be increased to the point of diminishing returns. I do not now recall any Montana business, large or small, against which higher levies can be made without imposing burdens which might easily be a hindrance to progressive enterprise. In the family of "little businessmen"

I can go you one further, for in this class I can recall many who would be compelled to liquidate if any additional levies were placed upon them. They are among the "forgotten man" in the field of taxation.

You may explore and I believe it is your duty to explore any field of taxation not now being cultivated, for the purpose of discovering new sources of revenue required to meet the new demands made upon us by our progressive social development, having in mind at all times the primary necessity of conserving in every possible way the funds already available in order that they may serve the largest possible number of needs in the most adequate manner.

A comparatively recent development which has become a matter of major concern in determining the size of governmental budgets is that which calls upon the state to provide an adequate system of social security. The ancient query: "Am I my brother's keeper?" has been answered in an emphatic affirmative by the American people and they are making a determined effort to justify their answer by their works. The federal government and the various state governments have undertaken to assume the obligation of providing, not merely a miserable existence, but comfortable subsistence for the aged and the unfortunate. Montana in common with her sister states, has set up an organization for this purpose.

The Montana Unemployment Compensation Commission program—commonly known as job insurance—becomes effective the first of next July and provides means of protection in the future for those unfortunate enough to lose their jobs. More than 100,000 Montana men and women now have this protection and, for them, July first will mark a new era in the domain of social and economic security.

All workers do not have this protection; only those who have earned the right will be eligible to draw benefits. Only those who work for covered employers can earn this right. There is no charity in the program.

More than five million dollars, contributed by employers, will be available in the trust fund collected by the Commission and this will pay its own way. The Unemployment Compensation Commission, in the interest of simplification and liberalization has recommended certain amendments to the law. Should these win your approval, they will make the Montana law the most generous in the nation. I commend your careful consideration of these proposals, keeping in mind that the Social Security Board at Washington advances administrative costs and retains the right to pass on all changes.

The Public Welfare Commission is vested with the duty of providing for the needs of the aged and the unemployed not covered by the Unemployment Compensation law, the needy blind, crippled and dependent children, and other unfortunate members of our social order. The demands made upon this Commission have been extremely heavy during the last calendar year. There appears little likelihood that the total sum needed, made up by the thousands of demands, will diminish during the next biennium. And there is always the possibility that much of the assistance afforded by federal agencies may be curtailed, thus throwing an increased burden upon the State. Regardless of all other necessities, we cannot escape this solemn obligation founded as it is upon the most compelling instinct of humanitarianism. I fix no definite amount, by way of recommendation, for your consideration, feeling that your appropriate committees, following a thorough investigation of the subject, will be able to arrive at conclusions which can be submitted with ample supporting data to the two branches of this Assembly.

I earnestly commend for your consideration the advisability of providing that all public monies received by the state from whatever sources, except where otherwise provided by constitutional mandate and designed to become portions of established trust funds, be deposited to the credit of the general fund of the state and withdrawn in pursuance of appropriations

made by the Legislative Assembly. This will make for the simplification of the State's financial operations and lessen the possibilities of wastage by misapplication of public funds.

During the past ten years there have been many millions of acres of land taken off the tax rolls of the State and there still remain some three million acres off the rolls. Its average annual assessed valuation during this period has been \$20,460,000; however, there is attached to this a greater loss than that measured by dollars and cents, namely, the fact that the individual owners found themselves bankrupt and in many instances were compelled to resort to the relief rolls of some kind, and in all too many cases they are still there. This was occasioned primarily by the improper use of these lands.

I am sure these unfortunate people, in this position by no fault of their own, will maintain themselves and their families if we can find ways and means to get them started; therefore, rehabilitation is one of the greatest questions confronting this Assembly and myself at this instant. I have set out to accomplish this purpose and at the same time and in the same way to help the entire State and all of its people. In doing so I am mindful that the loss of \$20,460,000 assessed value was not the State's only loss; this was secondary to the fact that these particular farmers lost all their worldly possessions.

Tax records of the State disclose that one acre of irrigated land has an average tax production equalling six acres of other agricultural and grazing lands. Now, in order to recover the assessed valuation lost, and in order to recover it from the earth itself and at the same time not increase any existing tax, we must put 500,000 new acres under irrigation. This is what I started out to do when I was sworn into office two years ago today, and now I am glad to report progress to this Legislative Assembly.

By the energy and the activities of the State Water Conservation Board we have already placed new land under irrigation and have provided supplemental water supply, which will be completed for use this year, for a total of lands in excess of three hundred thousand acres, half of which is new to irrigation. That is to say, we have recouped about one-third of the land tax loss.

In order that you may know my aim in this respect I will say that it is my hope and the hope and ambition of the Water Conservation Board that during the remainder of my administration we furnish water for irrigation of the additional two-thirds of the new land necessary to replace the annual \$20,460,000 land assessment loss; and permit me further to say that we hope to replace at some taxable value and at a great benefit to the people and the state, the three million acres now off the tax rolls, for it is our plan and ambition to make that three million acres beneficially available under our grass conservation program, as an aid and supplement to the irrigated lands, for livestock pasture and range purposes. In that way we will rehabilitate not only the lands and the people first affected but also the livestock industry, thereby balancing the operations of the water conservation program with the grass conservation program. Not only is it important to place these lands back on an earning basis and add the half million acres of irrigated lands to our tax rolls, but it is equally important to make it possible for our people, agriculturally and livestock-minded, to progress on these lands and at the same time bring a new wealth to the State amounting to more than twenty million dollars per year. This anticipation is premised upon findings by the Department of the Interior based upon its study and experience over a period of years through the Bureau of Irrigation and Reclamation which has recently issued a statement to the effect that every acre of irrigated lands in areas like Montana produces an average of forty dollars of new wealth each year.

By this Assembly joining with us in this dependable and permanent form of relief we can within the next biennium bring to Montana this additional new wealth, which, after all is said, is only secondary to the objective.

for primarily it will revive the morale of our citizenry as it will relieve those affected from the unfortunate necessity of any kind of state or federal relief and go a long way in solving the permanent relief and economic problems of the State for all time to come.

So, I urge you, Ladies and Gentlemen of this Assembly, to go along with us on this already tested and established program of water conservation for use upon the land and this grass conservation program for use in the production of our livestock to the end that we bring Montana back to its own, and thence proceed to greater and better things. A majority of the profits from the Liquor Control Board could be put to no better use than to aid in these accomplishments.

I would suggest that, at the earliest possible time in the course of your deliberations, regular or special committees be empowered to pursue thorough and painstaking inquiries into the operations of all state governmental activities. I invite a visit and investigation of each state institution and I particularly request a thorough examination of the physical conditions of the State Hospital at Warm Springs. The water supply at that institution and the fire hazard need prompt attention and without the approval of this Assembly proper facilities in this respect cannot be had.

It is my special request that the functions of each board, bureau and commission which comes directly under the jurisdiction of the Governor be known and understood by you. With this idea in mind and in view of the large sums of public money involved in their transactions, I welcome your bodies and yourselves individually to examine all activities of the Liquor Control Board, the Highway Commission, the Public Welfare Board and the Water Conservation Board.

I suggest that you refer to the message which I delivered from this rostrum two years ago and take note of the pledges therein made. I sincerely believe that you will find that considering the conditions then existing and those which have developed this intervening biennium, all of those pledges have been kept so far as humanly possible. And I am sure that an examination of the affairs of my administration will develop the fact that I have in no way abused any authority or confidence reposed in me by the previous Assembly. Two years ago the Legislature joined me in a reorganization program for efficiency and economy and among other things and at my request it passed an act giving the Governor complete authority over his appointive departments. This Act I requested as a temporary measure for use as long as necessary. Your inquiries into the departments will prove the wisdom of that legislation. I immediately set out to effect that purpose and we have gone a long way toward that end; however, in some instances it is not completed because we have found that numerous revisions of existing statutes will be necessary to permit efficient operation in several departments. Suggestions for correction of the administrative ills will be submitted to you during the progress of your session. In order to accomplish what I have started out to do, I solicit your continued cooperation and ask that that law be continued in effect for the next biennium, by which time I hope to have accomplished the objectives of efficiency and economy, and I trust that a repeal of this Act, effective at that time, may be had.

I have observed that at previous Legislative Sessions, State officers, both elective and appointive, and their assistants, deputies and employees, have spent entirely too much time on the floors of the chambers of the Legislative Assembly and in lobbying among the members, all of which has retarded legislative progress and deterred efficient state service on the part of those neglecting their own duties to follow this unnecessary practice.

All department heads, institution heads, and all bureaus, boards and commissions appointed by me, and all their subordinate officers and employees have been and are now by this message again instructed to refrain from this practice. They are being paid by the taxpayers of the State to discharge the duties of the offices and positions to which they were ap-

pointed and should and must devote their time and attention to their regular work and not bother or disturb you in the discharge of your duties.

However, they have all been instructed and are now again instructed that their time is yours when called upon and that they must respond to any and all requests made upon them by your bodies, and in such event they shall furnish you with all information and data possible, and aid you in every way that you may require.

I bespeak for you a harmonious Session, marked by earnest endeavor to serve only the highest welfare of the people of our great State, and I pledge you every aid that I can render to make your labors pleasant and of constructive benefit to our beloved Commonwealth. May a Divine providence guide and keep us steadfast in these important duties.

It was moved by Senator Plank, duly seconded and carried, that a committee of five be appointed to escort his Excellency, the Governor, to his chambers. Whereupon the following were appointed: Senators Tierney and Ecton and Representatives Stromnes, Watson and Padbury.

It was moved by Senator Plank, duly seconded and carried, that five hundred copies of the Governor's message be printed and available for Members of the Assembly.

It was moved by Senator Plank, duly seconded and carried, that the Joint Session dissolve and the Senate retire to its chambers.

Mr. Speaker in the Chair.

It was moved by McLeod, duly seconded and carried, that the House adjourn until 11:00 o'clock A. M., Wednesday, January 4th, 1939.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

THIRD DAY

House of Representatives,
Helena, Montana,
January 4, 1939.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Loughran and McCarthy.

Mr. Speaker: We, your committee on Journal, having examined the Journal for the Second Legislative Day, find the same to be correct.

H. H. HESS, Chairman.

Report adopted.

The Speaker made the following committee appointments:

Committee on Appropriations: Dougherty of Powell, Chairman; Goodwin of Silver Bow, Vice-Chairman; Green of Dawson, McClain of Missoula, Lambert of Hill, Wenger of Deer Lodge, Zuck of Roosevelt, Stevens of Cascade, Leuthold of Stillwater, Antrim of Ravalli, Armstrong of Flathead, Sorte of Daniels, Berthot of Gallatin, Horrigan of Granite, Ekern of Sanders, Roehl of Fergus, Findlater of Custer, Morrison of Lewis and Clark, McFatridge of Yellowstone.

Committee on Petroleum, Oil and Gas: Byrne of Toole, Chairman; Stafford of Cascade, Vice-Chairman; Dougherty of Powell, McClain of Missoula, Morrison of Lewis and Clark, Sorte of Daniels, Lynch of Chouteau,

James of Liberty, Aronson of Glacier, Cole of Petroleum, Hoiness of Yellowstone, Kellogg of Pondera, Baker of Fergus, Parker of Flathead and Scofield of Powder River.

Committee on Rules, Joint Rules and Order of Business: McLeod of Cascade, Chairman; DeDobbeleer of Valley, Vice-Chairman; Hoiness of Yellowstone, Moss of Flathead and Manning of Treasurer.

Printing Committee: Beck of McCone, Chairman; Moss of Flathead, Vice-Chairman; Beadle of Silver Bow, DeDobbeleer of Valley and Kellogg of Pondera.

Engrossing Committee: Rice of Big Horn, Chairman; Kirscher of Broadwater, Vice-Chairman; Longenecker of Ravalli, Hess of Hill and Green of Dawson.

Enrolling Committee: Antrim of Ravalli, Chairman; Cole of Prairie, Vice-Chairman; Padbury of Lewis and Clark, Cannon of Silver Bow and Reed of Blaine.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, the Committee on Employment, having had under consideration applicants for employment, beg leave to report:

Ernest Burns, First Assistant Sergeant-at-arms
William Neary, Second Assistant Sergeant-at-arms
Ray Campbell, Assistant Chief Clerk
Mickey Walsh, Reading Clerk.
Pages: Merton Hall, Louis Leathers, Leo St. John
George Davis, Pay Roll Clerk.
J. J. Tomcheck, Janitor
Olaf Berg, Janitor
Sam Glick, Janitor
T. M. Lanning, Janitor.
Albert Robson, Night Watchman

Stenographers:

Marion Brekke	Elizabeth Kountz
Genevieve Mahoney	Louise L. Schroeder
Helen Nelson	Katherine Francis Ochar
Kathleen Ramey	Miss Sid Thomas
Edith Helton	Elita Emma Robinson
Kathleen Morrison	Eva Stotts
Billy Ann Rife	Alyne Powell

Typists:

Mary Ann Amundson	Catherine A. Dennehy
Dorothy Edith Brown	Pernelea Marie Shea

O. G. Isaac, Bill Clerk
Tobias Vegge, Assistant Bill Clerk
Tom Caverly, Printing Clerk
Nick Peterson, Assistant Printing Clerk
Helen McCabe, Typist Clerk
Florence Baldwin, Telephone Operator

Clerks:

Lila Slaughter	William C. Nugent
Woodrow E. Glenny	Helen R. Hake
Eula Finn Nimmons	John E. Gwynn
Josephine Andrews	James L. Cooling
E. A. Drost	Stratford B. Peterson
Clifford Waller	Mrs. Dora Crowell
Jack McGuire	Murray Johnston

William Henry Harrison McKinley
 John J. Cunningham
 S. A. Hinerman
 William P. Casey
 Clark A. Nokleby
 Ernest A. Hardcastle
 Charles E. Reed
 William Kingston
 Jack Donald McEacheron
 Fred W. Mitchell
 Doris Hedges Nimmons

Marjorie Ellen Hoepfner
 Mrs. Gertrude Felton
 Joe Raymond Linnane
 Howard E. Harper
 Jovaye Schaubert
 Albert J. Partoll
 Gordon Buck
 John Sherman, Jr.
 William Fay Crusch
 Jack McCaw
 Peter Rovick

H. A. LAMBERT, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Hoiness, duly seconded and carried, that the Majority Floor Leader be placed as ex-officio member on all standing committees.

It was moved by Petersen, duly seconded and carried, that all members keep their seats until after the adjournment motion has been voted on and until all committee announcements have been made in order to avoid confusion.

It was moved by McLeod, duly seconded and carried, that a committee of five be appointed to prepare and submit suitable resolutions memorializing the members of the Twenty-fifth Legislative Session who have since passed away and that such resolutions be entered in the House Journal and a copy be forwarded to the widows or families of the deceased members.

It was moved by Listug, duly seconded, that House Rule No. 45 be amended to read as follows:

“ENROLLMENT OF BILLS. The Committee on Enrollment shall not report any bill as correctly enrolled that has any words interlined therein, or in all bills containing amendments to existing statutes, the new parts shall be designated by underlining, or when any words have been erased therefrom except that when the title of any bill shall begin with the words, “A Bill for an Act, etc.,” the Committee on Enrollment shall omit on the enrolled bill the words, “A Bill for an Act Entitled,” nor until the author of the bill, if then in attendance, or in case of a committee bill the chairman of the committee or a member of the committee designated by the chairman, if such chairman or member is in attendance, have been given an opportunity to examine the same in the presence of the Chairman or some other member of the Enrolling Committee or the Enrolling Clerk.

Motion was referred to the Committee on Rules, Joint Rules and Order of Business.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second time and referred to the Committee on Revenue and Taxation:

House Bill No. 1, introduced by Siegling: A Bill for an Act entitled: “An Act relating to gambling games and gambling devices; providing for the operation thereof under license; providing for certain license fees and the use of the money obtained therefrom; prohibiting minors from playing and loitering about such games; designating the penalties for violations of the provisions thereof; and other matters properly relating thereto.”

By unanimous consent of the House the following bill was introduced, without notice, read first and second time at length and referred to the Committee on Appropriations:

House Bill No. 2, introduced by the Appropriations Committee: A Bill for an Act entitled: “An Act to appropriate money for the payment of

mileage and per diem to the members of the Twenty-sixth Legislative Assembly and for the payment of per diem to the officers and attaches and for incidental expenses of the Twenty-sixth Legislative Assembly of the State of Montana."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 2, recommend that the same do pass.

DOUGHERTY, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Spiegel, duly seconded, that House Bill No. 2 be considered properly printed and placed on General Orders.

As a substitute motion, it was moved by Byrne, duly seconded and carried, that the motion by Spiegel be passed for the day.

It was moved by McLeod, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

The Mileage and Per Diem committee reported, but there were several objections regarding incorrect amounts for mileage, so on motion, the report was referred back to the committee for correction.

Mr. Speaker: We, the Committee on Employment, having had under consideration applicants for employment beg leave to report:

Mildred Chapin, Stenographer
Ellen Doty, Stenographer
Judith Johnson, Stenographer
Stanley Nees, Janitor
John D. Pope, Clerk
Harry Robson Culbertson, Clerk
Frank S. Marr, Jr., Doorkeeper
Theodore J. Johnson, Doorkeeper
John Gwynn, Doorkeeper
Myrtle Carlson, Clerk to Minority Floor Leader.

H. A. LAMBERT, Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that the House adjourn until 10:00 o'clock A. M., Thursday, January 5, 1939.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

FOURTH DAY

House of Representatives,
Helena, Montana,
January 5th, 1939.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.
Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Loughran and McCarthy.

Mr. Speaker: We, your committee on Journal, having examined the Journal for the Third Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

The Speaker appointed the following committees:

Committee on Revenue and Taxation: Metlen of Beaverhead, Chairman; Byrne of Toole, Vice-Chairman; Petersen of Sheridan, Padbury of Lewis and Clark, Lehrkind of Gallatin, Watson of Missoula, Lippard of Chouteau, Balgord of Golden Valley, Cannon of Silver Bow, O'Connor of Carbon, Scofield of Powder River, Siegling of Cascade, Vanderbeck of Madison, Hammond of Yellowstone and Listug of Roosevelt.

Committee on Railways and Railway Transportation: Vanderbeck of Madison, Chairman; Gebhardt of Yellowstone, Vice-Chairman; Bower of Mineral, Dougherty of Powell, Moss of Flathead, Acher of Blaine, Berthot of Gallatin, D'Ewart of Park, Leuthold of Stillwater, Cole of Prairie, Potter of Meagher, Lippard of Chouteau, Balgord of Golden Valley, Zuck of Roosevelt and Stewart of Rosebud.

Committee on Judiciary: Stromnes of Cascade, Chairman; Smith of Lewis and Clark, Vice-Chairman; Brower of Lake, Bjorneby of Flathead, Hoiness of Yellowstone, O'Connor of Carbon, Lippard of Chouteau, Anderson of Phillips, Stafford of Cascade, Baker of Fergus, Sullivan of Silver Bow, Dunn of Gallatin, Zuck of Roosevelt, Flynn of Missoula and Rice of Big Horn.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Brown and McCarthy: A Bill for an Act Entitled: "An Act providing for the greater security for the payment of salaries and wages by employers engaged in the business of extracting, or extracting and refining or reducing metals and minerals or mining for coal or drilling for oil, except such employers who have a free and unencumbered title to not less than one-half interest in the fee of the property being worked."

REPORTS OF STANDING COMMITTEES

A report was brought in by the Employment Committee, and it was moved by Lambert, duly seconded, that the report be adopted.

As a substitute motion, it was moved by Goodwin, duly seconded, that the report be returned to the Employment Committee with instruction to take off the names of Margaret Patterson and Kate Rockefeller, for the reason that they were married and their husbands gainfully employed.

It was moved by McLeod, duly seconded, that the motion by Goodwin be tabled. Motion was lost. Whereupon motion by Goodwin was put by the Speaker and carried.

It was moved by McLeod, duly seconded and carried, that the House recess until 10:45 A. M.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 2, beg leave to report that the same has this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Mileage and Per Diem, beg to submit the following report, indicating the number of miles traveled by the following members of the House and sums due them therefor, for the Session of the Twenty-sixth Legislative Assembly, convening January 2nd, 1939.

Name and Residence	Miles	Amount
Acher, John W., Zurich	504	\$35.28
Acton, W. S., Lewistown	458	32.06
Anderson, Erick, Regina	706	49.42
Anderson, W. M., Sand Coulee	222	15.54
Antrim, Stanley, Stevensville	294	20.58
Armstrong, Ory J., Kalispell	496	34.72
Aronson, J. Hugo, Cut Bank	419	29.33
Baker, C. E., Lewistown	430	30.10
Balgord, O. P., Lavina	388	27.16
Beadle, Minnie (Mrs. M. Kerr), Butte	144	10.08
Beck, Martin J., Wolf Point	846	59.22
Berthot, A. G., Bozeman	196	13.72
Bjorneby, Emil G., Kalispell	496	34.72
Bower, Frank A., Tarkio	330	23.10
Brower, A. J., Polson	382	26.74
Brown, Robert C., Walkerville	144	10.08
Byrne, E. J., Galata	442	30.94
Cannon, Paul, Butte	144	10.08
Clark, L. W., Harlowton	296	20.72
Cole, Kenneth, Winnett	540	37.80
Cole, N. A., Terry	895	62.65
Collins, Roy D., Fairview	1038	72.66
Daniel, J. W., Worland	930	65.10
DeDobbeleer, Jasper, Glasgow	748	52.36
D'Ewart, Wesley A., Wilsall	312	21.84
Dougherty, James N., Elliston	58	4.06
Duncan, Thomas W., Missoula	238	16.66
Dunn, Robert J., Bozeman	196	13.72
Ekern, H. O., Thompson Falls	444	31.08
Emswiler, S. J., Ekalaka	1054	73.78
Findlater, R. P. (Bob), Miles City	770	53.90
Flynn, John J., Missoula	246	17.22
Freshman, Walter, Butte	144	10.08
Friedl, Paul, Glasgow	748	52.36
Gebhardt, R. H., Billings	478	33.46
Goodwin, Phil C., Butte	144	10.08
Green, Henry R., Lindsay	976	68.32
Hageman, Arthur, Jordan	994	69.58
Hammond, Grant, Billings	478	33.46
Hess, H. H., Havre	462	32.34
Hoiness, Melvin, Billings	478	33.46
Horrigan, Frank W., Philipsburg	220	15.40
James, David F., Joplin	500	35.00
Kellogg, G. C., Conrad	348	24.36
Kirscher, W. G., Townsend	66	4.62
Lambert, H. A., Havre	442	30.94
Lauback, Harry, Dutton	334	23.38
Lehrkind, Carl, Jr., Bozeman	196	13.72
Leuthold, J. H., Molt	440	30.80
Liggett, J. A., Roundup	438	30.66
Lippard, Gordon J., Virgelle	356	24.92
Listug, A. T., Wolf Point	846	59.22
Long, J. J., Baker	938	65.66
Longenecker, H. H., Hamilton	330	23.10
Loughran, Mike, Butte	144	10.08
Lowe, Ray G., Glendive	928	64.96
Lynch, Austin E., Highwood	312	21.84

Name and Residence	Miles	Amount
Manning, D. M., Hysham	626	43.82
Malee, Thomas C., Anaconda	196	13.72
Martin, Mrs. R. T., Lewistown	458	32.06
McCarthy, Denis, Butte	144	10.08
McClain, M. A., Missoula	238	16.66
McFatrige, Arthur E., Billings	478	33.46
McGee, Albert, Basin	90	6.30
McKenna, George S., Geyser	300	21.00
McLeod, Archie D., Great Falls	196	13.72
Melin, Marian A., Livingston	286	20.02
Metlen, Joe, Armstead	324	22.68
Miles, Ben B., McLeod	352	24.64
Morrison, R. E., Helena	000
Moss, G. M., Whitefish	532	37.24
Moss, S. E. (Slim), Miles City	770	53.90
Murray, Thomas, Anaconda	196	13.72
Newell, J. T., Red Lodge	534	37.38
O'Connor, G. W., Fromberg	492	34.44
Padbury, Fred H., Helena	000
Parker, Clem, Wibaux	1010	70.70
Parker, Neil C., Bigfork	508	35.56
Petersen, P. C. Westby	1148	80.36
Potter, John V., White Sulphur Springs	232	16.24
Reed, W. H., Turner	581	40.67
Rice, John E., Lodge Grass	692	48.44
Roehl, E. R., Lewistown	430	30.10
Ryan, Thomas, Butte	144	10.08
Scofield, Charles L., Biddle	990	69.30
Siegling, Robert A., Belt	246	17.22
Smith, Sherman W., Helena	000
Sorte, Marvin J., Scobey	946	66.22
Spiegel, Sam, Butte	144	10.08
Stafford, John D., Great Falls	196	13.72
Stevens, Charles L., Great Falls	196	13.72
Stewart, G. D., Forsyth	680	47.60
Stromnes, E. J., Great Falls	196	13.72
Sullivan, Frank K., Butte	144	10.08
Tyler, R. G., Homestead	982	68.74
Vanderbeck, James H., Jr., Virginia City	346	24.22
Watson, Fred, Missoula	238	16.66
Wenger, Edward, Anaconda	196	13.72
Williams, C. J., Billings	478	33.46
Wilson, Stuart P., Boyd	494	34.58
Woods, W. E., Saco	670	46.90
Zuck, John Q., Flaxville	987	69.09

LONG, Chairman,
MILES,
LYNCH.

Report adopted.

Mr. Speaker: We, your Committee on Employment, having had under consideration applicants for positions, beg leave to report:

P. J. Bonner, Clerk
Virginia Shanley, Stenographer
John MacLeod, Clerk
Wayne Bratten, Clerk
Marjorie Barta, Typist
William J. Fraser, Clerk
Walter A. Hunter, Clerk
Charles F. Littleton, Watchman
Selmer J. Kolstad, Clerk

Wm. McEachren, Clerk
E. E. Taylor, Clerk
L. W. Plummer, Clerk
Steve A. Holt, Jr., Clerk
Bill McGlynn, Jr., Clerk
John A. Nelson, Clerk
Earl L. Cooke, Clerk
Cora Angvick, Stenographer
John Prestbo, Clerk

Edward M. Lynch, Clerk
Genevieve M. Venne, Typist

J. H. McAfee, Clerk
Charles Pichette, Enrolling Clerk
Charles Bailey, Ass't. Journal Clerk
LAMBERT, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

The following message from the Senate was read and referred to the Committee on Rules, Joint Rules and Order of Business.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion was this day introduced and referred to the Committee on Rules:

By Mahoney: I move that Joint Rule No. 23 be amended to read as follows:

“TRANSMISSION OF BILLS—No bills transmitted by the House to the Senate nor by the Senate to the House after the FORTY-FIFTH day of the Session, and no amendments transmitted by the House to the Senate nor by the Senate to the House after the FIFTY-FIFTH day of the Session, shall be considered, with the exception of bills considered by Joint Conference Committee. Bills from said committees may be transmitted at any time up to and including the sixtieth day.”

MOTIONS AND RESOLUTIONS

By unanimous consent the House suspended Section 2 of Rule 37, for consideration of House Bill No. 2.

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

Spiegel in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 2, recommend that the same do pass.

SPIEGEL, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Dougherty, duly seconded and carried, that House Bill No. 2 be considered properly engrossed and placed on Third Reading.

THIRD READING

House Bill No. 2, introduced by the Committee on Appropriations, having been read three several times at length, title and history agreed to, was passed by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Lowe, Lynch, Malee, Martin, McClain, McFatrige,

McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 100.

Absent and not voting: Loughran, McCarthy. Total 2.

MOTIONS AND RESOLUTIONS

It was moved by Lambert, duly seconded, and carried, that the House grant the Committee on Employment authority for funds not to exceed \$50.00 to defray expenses in connection with a test effective at once to be required of all clerical help before they are permanently employed.

It was moved by McLeod, duly seconded and carried, that the House adjourn until 10:00 o'clock A. M., Friday, January 6th, 1939.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

FIFTH DAY

House of Representatives,
Helena, Montana,
January 6, 1939.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Loughran and Goodwin.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fourth Legislative Day, find the same to be correct.

H. H. HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, having had under consideration applicants for employment, beg leave to report:

Matt Oja, Clerk
Ruth Schlenske, Clerk
Marjorie E. Handel, Clerk
Luella A. Watson, Clerk
Clara Campbell, Clerk

Gilbert McMullen, Page
John T. O'Brien, Clerk
Leo McClain, Clerk
Viola E. Hendrickson, Clerk
Phyllis Flynn, Clerk

H. A. LAMBERT, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

The Speaker,
House of Representatives,
Helena, Montana.

Sir:

Complying with the provisions of the Constitution, I have the honor to transmit herewith a report of the pardons and commutations of sentence

granted since the time of the report to the Twenty-fifth Legislative Assembly.

Respectfully yours,

ROY E. AYERS,
Governor.

It was moved by McLeod, duly seconded and carried, that the report of the Governor be considered read at length and the Journal so show.

REPORT OF PARDONS, COMMUTATIONS OF SENTENCE AND REMISSION OF FINES, 1937-1938

Pardons

F. C. NEILSON—Cascade County; grand larceny; sentenced September 14, 1917; six to twelve years. A pardon was granted to prevent deportation of this man. He served his full time in the State Prison. Has become a substantial resident of Portland Oregon, and has raised a family of three children. Pardon recommended by officials and many citizens of Portland. Pardon granted April 9, 1937.

HAROLD W. ANDERSON—Gallatin County; receiving stolen property; six months in jail; December 19, 1936. Doctor's reports that this young man was gravely ill and in danger of death necessitated his removal from jail so that he could obtain better care in order to save his life. Many prominent citizens and county officials recommended the pardon, which was granted May 5, 1937.

THOMAS J. RILEY—Silver Bow County; murder; sentenced to life; May 23, 1898. Many friends of this man petitioned me to grant executive clemency. Riley was in a very bad physical condition and at best had but a few years of life remaining. No objections were offered by any of the officials or citizens. Pardon granted August 7, 1937.

FREDERICK A. PRIME—Silver Bow County; attempted rape; sentenced to one year; July 16, 1915. This man served his full time and since his release has made a place for himself in business and fraternal life. Many substantial citizens of Silver Bow County presented affidavits in this man's behalf. Pardon granted to prevent deportation, October 28, 1937.

WALLACE CANTRELL—Roosevelt County; assault in the first degree; sentenced to ten years; July 25, 1934. This young man is a ward of the Fort Peck Indian Reservation. The Superintendent of the Reservation offered to act as Cantrell's guardian upon his release. All officials recommended clemency. Behavior and attitude during his imprisonment proved that further incarceration was unnecessary. Conditional pardon granted October 27, 1937.

BERNARD WHITE—Big Horn County; forgery, two counts; two years and one year, concurrent; November 16, 1936. This boy was subject to deportation to Scotland where he had neither relatives nor friends. Had served his full sentence. State Juvenile Commissioner of North Dakota intervened in his behalf and offered to act as his guardian until he had reached majority. No objections by any officials. Pardon granted January 12, 1938.

ARTHUR COOPER—Cascade County; grand larceny; sentenced to one to two years; August 16, 1937. Cooper served his full time. Has been a resident of Washington since his release. Is endeavoring to secure United States citizenship. Pardon necessary before final papers can be granted. Recommended by many substantial citizens. Pardon granted September 22, 1938.

EMMETT SHANDY—Powell County; grand larceny; seven years; November 19, 1937. During subsequent trial in this same case it developed that no crime was committed, therefore a pardon was necessary to free

this man who was serving sentence for a crime which was legally never committed. Pardon granted October 20, 1938.

WILLIAM LEFORE—Lewis and Clark County; robbery; sentenced to nine years; May 23, 1934. Served full term. Recommended by many citizens of his home community. Subject to deportation to Canada. Pardoned December 9, 1938.

PERFECTO HIGUERA—Yellowstone County; forgery; November 1, 1938; sentenced to two years. In extremely serious condition because of tuberculosis and syphilis. Prison had no facilities for isolation. Great danger of infecting the entire prison population. Pardoned December 9, 1938.

Commutations

DONALD S. GREEN—Fergus County; robbery; sentenced to ten years; April 5, 1936. Sentence first reduced by Governor Holt to five years because of mitigating circumstances. This boy's character and recommendations from officials and citizens caused me to further reduce the sentence so that he could be released on parole in care of his father. Sentence commuted to three and one-half years, January 5, 1937.

JOHN A. FOX—Phillips County; murder, second degree; ten to twenty years; March 1, 1928. Fox was 75 years old; had served over nine years of his sentence. Circumstances surrounding his crime and his behavior while imprisoned were such that time served was thought to be sufficient. Widely recommended by citizens of his locality. Sentence commuted to fifteen years, April 28, 1937.

HENRY C. HEDRICK—Lake County; rape; sentenced to ninety-nine years; October 10, 1935. Doctor's report and subsequent investigation of facts surrounding case proved that proper charge should have been lewd and lascivious acts and not rape. Sentence greatly excessive for actual crime committed. Commuted to four years, April 28, 1937.

HAROLD B. MITCHELL—Meagher County; burglary, first degree; sentenced to four years; December 6, 1934. Due to number of recommendations from citizens of county and intervention of prosecuting attorney and sheriff; and the great need of his family, sentence commuted to three years August 2, 1937.

JOE MANOS—Fergus County; murder, second degree; sentenced to twenty years; March 26, 1932. Mitigating circumstances in crime made sentence excessive. Clemency recommended by citizens and county officials. Sentence commuted to ten years, August 7, 1937.

FRANK GAVARD—Lewis and Clark County; assault, first degree; sentenced to five years; December 26, 1935. Facts in case bear out contention that there was some justification in his act. Clemency recommended by prosecuting attorney and deputy. Sentence commuted to three and one-half years, October 1, 1937.

WALTER LUTZ—Yellowstone County; robbery; sentenced to ten years; September 4, 1934. Strongly recommended by prison officials. Personal observation of him led to favorable opinion. Trusty at prison for many months with comparative freedom; made no attempt to escape. Sentence commuted to five years, October 29, 1937.

CLAIRE NELSON—Daniels County; grand larceny; sentenced to three years; November 19, 1936. Prisoner's changed mental attitude toward society, realization of his obligations to his family and behavior while imprisoned led to belief that time served was sufficient. Sentence commuted to one year, October 30, 1937.

HAROLD A. SAYER—Prairie County; arson, first degree; sentenced to two and one-half years March 22, 1937. Judge and prosecuting attorney earnestly recommend clemency because they feel minimum sentence is

excessive in this case. Sentence commuted to one and one-half years, December 3, 1937.

ALECK STEINMETZ—Big Horn County; manslaughter; sentenced to five years; November 12, 1936. Investigation of facts surrounding case point to self defense. No objections offered by authorities or citizens. Sentence commuted to two years, December 13, 1937.

JAMES FARNUM—Park County; murder; sentenced to life; November 25, 1928. Information received subsequent to conviction led judge and other officials connected with the case to petition me for clemency for this man. Sentence commuted to eighteen years, December 13, 1937.

JACK O'CONNOR—Yellowstone County; burglary; sentenced to ten years; July 1, 1935. Recommendation of Judge and prosecuting attorney for clemency, sentence excessive. Commuted to five years, December 15, 1937.

JAMES COOPER—Yellowstone County; sale of narcotics; sentenced to five years and fined \$1000.00, October 18, 1935. Judge and prosecuting attorney recommended commutation and remission of fine because they felt that minimum sentence was excessive. Commuted four years December 15, 1937.

BRYANT BARKER—Deer Lodge County; rape; sentenced to seven years; April 10, 1935. Sentence excessive in view of facts surrounding case. Officials and reputable citizens of community in favor of commutation. Sentence commuted to five and one-half years, January 31, 1938.

GILBERT SEMMENS—Gallatin County; grand larceny; sentenced to two years; December 21, 1936. In view of reasonable doubt regarding this young man's guilt, Acting Governor Hugh Adair commuted his sentence to sixteen months, February 24, 1938. Public sentiment favorable to this action in both Gallatin County and Silver Bow County, home of Semmens.

J. A. ROSS—Beaverhead County; burglary, first degree; sentenced to five years; March 21, 1936. All officials in connection with the case favorable to commutation. Partner in the crime received only three years when equally as guilty as Ross. Family in very difficult circumstances. Sentence commuted to three years and ten months, March 22, 1938.

VAUDIE MOODY—Valley County; robbery; sentenced to five years; June 12, 1936. Commutation especially recommended by warden because of his exemplary behavior and character. Sentence commuted to three years and nine months. March 21, 1938.

CLAUD SPECK—Cascade County; manslaughter; sentenced to ten years; November 26, 1934. Fine behavior while imprisoned and previous good character. Time served sufficient. Excellent chance for rehabilitation. Sentence commuted to eight years, May 23, 1938.

CLARENCE MYHRE—Fallon County; rape; sentenced to fifty years; November 18, 1932. Sentence excessive. Recommended by great many residents of his community. Excellent character before imprisonment and very good behavior during incarceration. No objections to clemency. Sentence commuted to eleven years, May 28, 1938.

EDITH HOFFMAN MARSH—Toole County; robbery; three years; November 13, 1937. County officials interceded in her behalf because of the fact that she was about to become a mother. Time served accomplished end of full sentence. Commuted to one year, June 4, 1938.

ED STEFFES—Wheatland County; grand larceny; sentenced to six years; September 9, 1936. Judge, prosecuting attorney, sheriff and warden interceded in his behalf; sentence excessive. Very good name prior to imprisonment and excellent behavior while imprisoned. Sentence commuted to three and one-half years, June 13, 1938.

MARVIN JOHNSON—Valley County; attempt to commit rape; sentenced to ten years; July 11, 1935. Proper charge is assault and not attempted rape, therefore sentence is excessive. Recommended by both officials and residents of community. Sentence commuted to seven years, August 25, 1938.

LLOYD KURTH—Cascade County; embezzlement; sentenced to five years; April 28, 1936. Recommended by many citizens of Great Falls, officials have no objections. Family in destitute condition. Time served has accomplished purpose of conviction. Sentence commuted to two years, August 24, 1938.

CHARLES HILDERMAN—Big Horn County; grand larceny; sentenced to three years and sentence suspended. Probation revoked April 12, 1938. Judge very strongly recommended commutation of this man's sentence because of the facts surrounding the case. Sentence commuted to one years, September 20, 1938.

CHARLES JAMES—Sweet Grass County; murder, first degree; sentenced to life imprisonment; December 17, 1930. Facts surrounding crime point to murder in the second degree instead of murder in the first degree. This opinion also concurred in by judge who recommended commutation. Sentence commuted to twenty-one years, October 24, 1938.

WILSON TRUSLER—Rosebud County; assault in third degree; sentenced to ninety days in jail and fined \$250.00; December 6, 1938. Charged as result of saloon brawl. No injuries to either party and no damage done. Needed at home to salvage ranch from creditors. Sentence excessive. Commuted to 45 days. December 24, 1938.

ROY HENDRICKSON—Silver Bow County; murder, first degree; sentenced to life; December 6, 1930. All county officials, including judge and prosecuting attorney, recommended clemency. Many prominent citizens and state officials recommended release. Sentence excessive. Commuted to twenty years and six months, December 8, 1938.

JOE GORETTI—Madison County; murder, first degree; sentenced to life; June 30, 1926. Had served twelve and one-half years of his sentence. Excellent prison record. Had employment if released. No objections. Sentence commuted to thirty years and three months, December 9, 1938.

PAUL SWISHER—Cascade County; murder second degree; twenty-five years; December 14, 1929. Circumstances surrounding case extenuating. Crime took place during drunken fight and witnesses very unreliable. No objections by county officials. Sentence commuted to fifteen years and nine months, December 20, 1938.

VERNON HICKSON—Yellowstone County; grand larceny; sentenced to four years; March 3, 1938. First conviction. Full restitution made. Would probably lose entire livelihood of himself and family if not released. Better to release while opportunity remained for immediate gainful employment. Sentence commuted to one year and ten months, December 31, 1938.

Remission of Fines

MYRTLE ARNOLD—Justice Court of Whitefish Township; unlawful possession of parts of a game animal; fined \$100.00; March 13, 1937. Disabled war veteran. Killed game animal to provide food for his family. Veterans organization made arrangements to have him hospitalized. Served part of fine. Recommended by county officials and reputable citizens. Fine remitted, April 3, 1937.

MAMIE GUERNEY—Yellowstone County; possession of narcotics; sentenced to serve three and one-half years and fined \$1500.00; December 2, 1935. Served full time sentence. Unable to pay fine without sacrificing her small property which was her livelihood. Recommended by both offi-

cials and residents of Billings. Time served sufficient punishment. Fine remitted August 10, 1937.

JAMES COOPER—Yellowstone County; sale of narcotics; sentenced to five years and fined \$1000.00; October 18, 1935. Recommended by judge and prosecuting attorney that fine be remitted because circumstances surrounding the case did not warrant even the minimum sentence set by law. Fine remitted December 15, 1937.

IDA MANGAN—Justice Court of Fort Benton Township; petit larceny; fined two hundred dollars; August 25, 1938. County physician certified that further imprisonment endangered her life. Unable to pay fine. Recommended by county officials and justice of the peace. Fine remitted October 5, 1938.

WILSON TRUSLER—Rosebud County; assault in third degree; sentenced to ninety days in jail and \$250.00 fine; December 6, 1938. Unable to pay fine. Sentence excessive. Recommended by citizens of community. Fine remitted December 24, 1938.

INTRODUCTION OF BILLS

The following bill was introduced, read a first and second time and referred to the Committee on Mines and Mining, when such committee is appointed.

House Bill No. 3, introduced by Brown and McCarthy: A Bill for an Act entitled: "An act providing for the greater security for the payment of salaries and wages by employers engaged in the business of extracting, or extracting and refining or reducing metals and minerals or mining for coal or drilling for oil, except such employers who have a free and unencumbered title to not less than one-half interest in the fee of the property being worked."

It was moved by McLeod, duly seconded and carried, that the House recess until 1:30 P. M.

AFTERNOON SESSION

House resumed at 1:30 P. M. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Ryan and Cannon: A Bill for an Act entitled: "An act for the submission to section one (1) of article eighteen (18) of the constitution of the State of Montana, relating to the bureau of agriculture and/or bureau of labor and industry."

By Fred H. Padbury: A Bill for an Act entitled: "An act to repeal Chapter 151, laws Twenty-fifth Legislative Assembly, 1937, and to amend sections 8903, 8904, 9334, 9335 and 9341 of the Revised Codes of Montana, 1935, relating to the drawing of capsules from the trial juror boxes."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your committee on employment, having had under consideration applicants for employment, beg leave to report:

Walter Nilan, assistant law clerk (temporary).

Frances Elge, assistant law clerk (temporary).

H. A. LAMBERT, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day concurred in House Bill No. 2 and it is herewith returned to the House.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

Mr. Speaker: We, your Committee on Enrolling, report that House Bill No. 2 has been correctly enrolled.

ANTRIM, Chairman.

Report adopted.

I have examined House Bill No. 2 introduced by the Committee on Appropriations, and find the same to be correct.

DOUGHERTY, Chairman.

The Speaker signed House Bill No. 2 in Open Session.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Monday, January 9th, 1939, at 1:00 o'clock P. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

EIGHTH DAY

House of Representatives,
Helena, Montana,
January 9, 1939.

House convened, pursuant to adjournment, at 1:00 o'clock P. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except Loughran of Silver Bow who was excused.

Mr. Speaker: We, your committee on Journal, having examined the Journal for the Fifth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Lambert: A bill for an act entitled: "An act to fix the minimum wage to be paid members of the police department of cities of the second and third classes of the State of Montana, and of such other cities and towns which have now elected or shall hereafter elect to come under the provisions of Section 5108.16 of the Revised Codes of Montana of 1935."

By Lowe: A bill for an act entitled: "A bill for an act amending Sections 6479, 6484, 6489, 6490, 6491, 6494, 6495, 6499, 6500, 6501, 6502, of the Revised Codes of Montana for 1935 relating to the formation of cemetery association, providing for the keeping of records in connection therewith, the upkeep of such cemetery, and providing a means for the creation of a fund out of which permanent care for lots within the cemetery may be had, and for the selection of a trustee or board of trustees for the handling of such funds."

By Bjorneby: A bill for an act entitled: "An act providing for the release, relinquishment and conveyance to the United States of America of all the right, title and interest of the State of Montana in and to the minerals now known or hereafter found to exist in the northeast quarter (NE¼) of section thirty-six (36), township thirty-four (34) north, range twenty (20) west, Montana principal meridian."

The Speaker appointed the following committees:

Committee on Townships and Counties: Tyler of Sheridan, Chairman; James of Liberty, Vice-Chairman; Balgord of Golden Valley, Cole, N. A., of Petroleum, Longenecker of Ravalli, Hess of Hill, Parker, Neil, of Flathead, Lynch of Chouteau, Reed of Blaine, McKenna of Judith Basin, Potter of Meagher, Kirscher of Broadwater, Hageman of Garfield, McCarthy of Silver Bow, Wilson of Carbon.

State Institutions and Public Buildings and Grounds: Wenger of Deer Lodge, Chairman; Cannon of Silver Bow, Vice-Chairman; Emswiler of Carter, Lippard of Chouteau, Watson of Missoula, Siegling of Cascade, Dunn of Gallatin, Tyler of Sheridan, Gebhardt of Yellowstone, Moss (Slim) of Custer, Acton of Fergus, Anderson, W. M., of Cascade, Miles of Sweet Grass, Morrison of Lewis and Clark, Ekern of Sanders.

State Lands: Sorte of Daniels, Chairman; McGee of Jefferson, Vice-Chairman; Clark of Wheatland, Beck of McCone; Ekern of Sanders, Cole, Kenneth, of Petroleum, James of Liberty, Reed of Blaine, Kirscher of Broadwater, Scofield of Powder River, Metlen of Beaverhead, Laubach of Teton, Cole, N. A., of Prairie, McKenna of Judith Basin, Woods of Phillips.

State Boards and Offices: Friedl of Valley, Chairman; Flynn of Missoula, Vice-Chairman; Cannon of Silver Bow, McFatrige of Yellowstone, Daniels of Lincoln, Roehl of Fergus, James of Liberty, Newell of Carbon, Williams of Yellowstone, Stromnes of Cascade, Potter of Meagher, Brown of Silver Bow, Green of Dawson, Murray of Deer Lodge, Petersen of Sheridan.

Dairying: Petersen of Sheridan, Chairman; Daniel of Lincoln, Vice-Chairman; Hess of Hill, Lehrkind of Gallatin, Gebhardt of Yellowstone, Leuthold of Stillwater, Antrim of Ravalli, Stevens of Cascade, Padbury of Lewis and Clark, Parker, Neil, of Flathead, Watson of Missoula, Parker, Clem, of Wibaux, Martin (Mrs.) of Fergus, McKenna of Judith Basin, Melin, Marion, of Park.

Constitutional Amendments: Stafford of Cascade, Chairman; Spiegel of Silver Bow, Vice-Chairman; Moss, G. M., of Flathead, Goodwin of Silver Bow, Hoiness of Yellowstone, Sorte of Daniels, Smith of Lewis and Clark, DeDobbeleer of Valley, Roehl of Fergus, Duncan of Missoula, Clark of Wheatland, Metlen of Beaverhead, Horrigan of Granite, Lippard of Chouteau, Brower of Lake.

Corporations Other Than Municipal: Duncan of Missoula, Chairman; Beck, M., of McCone, Vice-Chairman; Hoiness of Yellowstone, Balgord of Golden Valley, Antrim of Ravalli, Bjorneby of Flathead, Wilson of Carbon; Malee of Deer Lodge, Findlater of Custer, Loughran of Silver Bow, Cole, Kenneth, of Petroleum, Stromnes of Cascade, Scofield of Powder River, Leuthold of Stillwater, James of Liberty.

Banks and Banking: Acher of Blaine, Chairman; Berthot of Gallatin, Vice-Chairman; Anderson of Cascade, Lowe of Dawson, Smith of Lewis and Clark; James of Liberty, Balgord of Golden Valley, Metlen of Beaverhead, Liggett of Musselshell, Rice of Big Horn, Williams of Yellowstone, Duncan of Missoula, Emswiler of Carter, Armstrong of Flathead, Listug of Roosevelt.

Aviation: Morrison of Lewis and Clark, Chairman; Freshman of Silver Bow, Vice-Chairman; O'Connor of Carbon, Lehrkind of Gallatin,

Hoiness of Yellowstone, Beadle of Silver Bow, Liggett of Musselshell, Hess of Hill, Watson of Missoula, Stromnes of Cascade, Lowe of Dawson, Moss of Custer, Friedl of Valley, Bjerneby of Flathead, Martin (Mrs) of Fergus.

Apportionment and Representation: Loughran of Silver Bow, Chairman; Anderson of Cascade, Vice-Chairman; Duncan of Missoula, Smith of Lewis and Clark, Moss (Slim) of Custer, Dunn of Gallatin, Malee of Deer Lodge, Williams of Yellowstone, Bower of Mineral, Reed of Blaine, James of Liberty, Brower of Lake, McGee of Jefferson, Acton of Fergus, Collins of Richland.

Affairs of Cities: McClain of Missoula, Chairman; Ekern of Sanders, Vice-Chairman; Baker of Fergus, Berthot of Gallatin, D'Ewart of Park, Friedl of Valley, Findlater of Custer, Goodwin of Silver Bow, Hoiness of Yellowstone, Moss of Flathead, Stafford of Cascade, Stewart of Rosebud, Sullivan of Silver Bow, Newell of Carbon, Loughran of Silver Bow.

Ways and Means: Zuck of Roosevelt, Chairman; Dunn of Gallatin, Vice-Chairman; Lambert of Hill, Moss, G. M., of Flathead; Metlen of Beaverhead, McFatrige of Yellowstone, Byrne of Toole, Parker, Neil, of Flathead, DeDobbeleer of Valley, Collins of Richland, Dougherty of Powell, Green of Dawson, Friedl of Valley, Leuthold of Stillwater, Lehrkind of Gallatin.

Development and Publicity: Murray of Deer Lodge, Chairman; Stevens of Cascade, Vice-Chairman; Beadle of Silver Bow, Sullivan of Silver Bow, Friedl of Valley, Long of Fallon, McGee of Jefferson, Duncan of Missoula, Potter of Meagher, Cole, Kenneth, of Petroleum, Clark of Wheatland, Emswiler of Carter, Hageman of Garfield, Bower of Mineral, Newell of Carbon.

The Speaker also appointed the special committee to draw resolutions memorializing deceased members of the Twenty-fifth Legislative Assembly, as follows: Moss of Flathead, Chairman; Friedl of Valley, Cole of Prairie, Duncan of Missoula.

MESSAGES FROM THE GOVERNOR

Speaker of the House: Pursuant to the provisions of Senate Joint Resolution No. 6, approved by me on March 11, 1937, I appointed Dr. W. F. Cogswell, Secretary of the State Board of Health, James J. Carrigan, James D. Graham, Carl Trauerman and Denis McCarthy as a commission to make a study of occupational diseases, and particularly silicosis, in the State of Montana.

In pursuance of such appointment the commission has made such study and filed in this office a report together with their recommendations, which I am herewith transmitting to you for your consideration.

Yours respectfully,

ROY E. AYERS, Governor.

It was moved by Spiegel, duly seconded and carried, that the report be considered read at length and the Journal so show, and that a mimeographed copy be placed on the members' desks.

REPORT

Hon. Roy E. Ayers,
Governor of Montana,
Helena, Montana.

Your Excellency:

Your Commission appointed to study occupational diseases in the State of Montana, pursuant to Senate Joint Resolution No. 6 of the

Legislative Assembly of the State of Montana of 1937, herewith files its report and recommendations on occupational diseases.

Funds were not provided to carry out the work of the Commission and the members proceeded with their investigation solely at private expense. The Commission held hearings at Billings, Great Falls, Helena, Philipsburg, Anaconda and Butte. These localities were selected as being the most probable places in which occupational diseases might be found. These hearings were given publicity by means of news stories and by advertisements in the local papers immediately preceding each meeting. In addition to the news items and advertising matter, the individual members of the Commission invited various labor organizations and groups of employers throughout the State to be present at the hearings and to give evidence relating to occupational diseases, particularly the following:

Disease Schedule	Process Column
1. Anthrax.	1. Handling of wool, hair, hide, bristles and skins.
2. Poisoning by lead, mercury, zinc, arsenic, or phosphorous, their preparations or compounds.	2. Any process involving the use of or exposure to lead, mercury, zinc, arsenic, or phosphorous, their preparations or compounds.
3. Radium poisoning or disability due to radio-active properties or substances or to Roentgen rays (X-rays)	3. Any process involving the use of or exposure to radium, radio-active substances or Roentgen rays (X-rays).
4. Carbon monoxide poisoning.	4. Any process involving exposure to carbon monoxide in confined spaces.
5. Silicosis.	5. Any industry or process involving exposure to silica dust.

The following is a brief review of the main facts developed and the principal matters discussed at each of the meetings held by the Commission:

The Billings Meeting: The Billings meeting was held on November 25th, 1938, and was devoted principally to the taking of testimony regarding conditions in the coal mining industry in Eastern Montana. No specific case of silicosis or other occupational disease was brought to the attention of the Commission at this hearing. There was evidence of a few cases of asthma which the miners thought might be due to their occupation. Suggestions were made at that meeting which, if carried out, would result in added security against accident and disease for those engaged in coal mining.

The Great Falls Meeting: On November 28th, 1938, a hearing was had at Great Falls; this was attended by the representatives of the Mine, Mill and Smeltermen's Union, and by the operating heads of the smelter and refinery. The representatives of the employers and employees of the Northern Montana coal mines also attended the meeting. Some complaint was made of dust in the smelter and in the coal mines, but no specific case of silicosis arising either in the coal mining or smelting industry were presented at this meeting. Neither was there any evidence produced showing any occupational diseases arising out of employment in Great Falls or vicinity. Further improvement in working conditions in the coal mines and at the smelter were suggested. These improvements having in mind the further control of dust in working places.

The Helena Meeting: On November 30, 1938, your Commission held its meeting at Helena. The testimony there related principally to conditions in the East Helena smelter, and showed that the East Helena smelter had done and was doing everything within reason to safeguard its employees.

against injury and disease. While no specific evidence was given of occupational disease arising in that industry, yet it was recognized that a hazard existed against which it was necessary to take precautions. The plant physician told of periodical tests to determine how lead fumes affected men's health and of the adoption of a system by which men showing a certain amount of lead absorption were moved to other departments where there could be no further absorption of such fumes. At this meeting the Secretary-Treasurer of the Montana Woolgrowers Association appeared to protest against including anthrax in the Montana Workmen's Compensation Act as an occupational disease. Figures were produced showing that but two cases of the disease occurred in Montana in the last 15 years, the last one being in November, 1933, and none occurring where employees were operating under the Compensation Law.

A statement was made to the effect that an ex-miner who is now sixty-four years old and has worked in quartz mines upwards of thirty-five years is afflicted with silicosis.

The Philipsburg Meeting: The Philipsburg hearing was held December 1st, 1938, in the courthouse. This center was decided upon by the Commission as one being representative of the smaller mining camps, it being thought that something might be learned as to the prevalence of dry drilling and lack of proper drys or change houses. A representative of the Philipsburg miners union told in a general way of conditions in that camp. Within the last few years, drys have been constructed within a reasonable distance of the mine entries and dry drilling has been eliminated. In regard to silicosis, he was of the opinion that some of the Philipsburg miners were affected by this disease, but that the mines in that district were comparatively shallow in depth and that the hazard did not exist to the extent that it does in the larger mining camps. Noon blasting was, in his opinion, the greatest factor in creating high atmospheric dust concentrations and he stated that this practice was used entirely too much in that district.

Small mining operators then testified and answered questions concerning the practices and methods used in their mines. They said that the practice of dry drilling had been abolished and that change houses were located within 200 feet of the mine entries and that adequate ventilation was not a big problem with them because their mines were not so deep.

Doctor Knight of Philipsburg expressed his views on silicosis and silicosis complicated with tuberculosis. He said that during his experience of many years at Philipsburg, a number of miners had been consigned to the Galen Sanitarium and that many of them had worked in other camps besides Philipsburg. He spoke of the difficulty of accurately diagnosing silicosis and called the Commission's attention to the fact that if a compensation measure was contemplated, the disease or diseases included should be defined in such a manner as not to be confused with other diseases which might manifest the same symptoms.

The Anaconda Meeting: On December 2nd, 1938, the Commission met at Anaconda. Representatives of the Typographical Union and of the Mine, Mill and Smeltermen and of the crafts, together with the representatives of the operators, testified at this meeting. Statistics were presented showing the total number of deaths among members of the Typographical Union in the United States for 1937; including three cases of cerebral lead poisoning. The representative of the Typographical Union stated that he knew of one case where a member of this union was disabled by lead poisoning in this state. Evidence presented on conditions in the smelting industry showed that there were some cases where the nasal septum was punctured by sores arising out of employment in the Arsenic Plant. These conditions were not shown to be disabling and were mainly due to the failure of the employees to use the appliances which were furnished to prevent these conditions. There was evidence introduced that former employees in the smelting industry had contracted silicosis. The

evidence showed also that vast sums of money had been, and were still being, expended in eliminating dust and reducing the hazards of the occupation.

The Butte Meeting: The next meeting of the Commission was held at Butte on December 5th, 1936. This was devoted exclusively to working conditions in the mines and to the question of the prevalence of silicosis in the mining industry. The evidence tended to show that in former years and before the universal adoption of wet drilling, silicosis was prevalent in the mining industry. The members of the Butte Miners Union presented twenty X-ray pictures purporting to be taken of men who worked in the Butte mines for varying periods. The doctor whom the Miners Union selected to take these pictures testified that twelve of them showed some evidence of silica dust in the lungs—one of them being decidedly an advanced case of silicosis. The pictures were then submitted to a group of three other doctors all of whom agreed that only one of the pictures showed silicosis, and that was of a subject who had mined for many years before wet drilling became the universal practice in the Butte mines. Dr. Mondloch who, as a physician for the Anti-Tuberculosis Society, has specialized in diseases of the lungs in the Butte district and who is at present County Physician of Silver Bow County, was one of the three doctors selected to review these pictures. His selection was made by the committee from the Miners Union and he expressed the opinion of the doctors present as to what these pictures showed in the following language: "Out of the whole group, we have only one—everyone will admit—only one typical silicosis."

These matters, together with the fact that the records at Galen disclosed that no one afflicted with silicosis has entered that institution with a mining record which began since wet drilling was put into effect, convince the majority of your Commission that the vast sums of money expended for the elimination and control of dust in the Butte mines have produced safe working conditions, and that the silicosis hazard has been eliminated.

Summary and Recommendations: Until such time as it is shown that Anthrax and radium poisoning exist in Montana these diseases should not be considered in the schedule of occupational diseases in this state. The Commission has not had sufficient time to study poisoning by lead, mercury, zinc, arsenic, or phosphorus, in their preparations or compounds, to warrant making a report on the same. Carbon monoxide poisoning has not been considered or investigated yet by the Commission. No case of disability or death from these causes was presented to your Commission.

In making a study of silicosis it becomes evident that it is a disease which can be controlled and in time eliminated as an industrial hazard. The disease is said to be caused by the inhaling of silica dust into the lungs which starts a chemical action which in time causes a fibrotic growth in the lungs. The development of the disease is of a slow continuous growth, covering many years. Science has not discovered a cure for silicosis, although some doctors claim that if taken in time and the worker secures work at some other occupation which is healthful, takes care of himself and lives right, the development of the disease can be stopped and the victim live out the life expectancy.

Men can work in mines that have silica dust for five or ten years and longer before becoming victims of silicosis, and after acquiring the disease work for ten or fifteen years before they are aware that they are afflicted. There appears to be little, if any, deaths directly caused by silicosis. The patient dies of some other ailment, such as heart disease, and hardening of the arteries, aggravated by silicosis.

In general, there are three ways to prevent silicosis. First, by preventing the creation of silica dust. Second, by preventing the dispersion of dust into the atmosphere of a working area. Third, if it is impossible

to apply the first two methods, by the use of personal protective equipment, such as respirators, to prevent the inhalation of dust.

In 1924, the Anaconda Mining Company commenced a campaign to control the dust hazard in the mines of Butte and reduce it to a minimum. Wet drilling was put in operation to prevent dust floating into the air from drilling, and an extensive system of distributing fresh air into the mines was installed. This campaign has continued ever since. In this way the dust hazard has been reduced until, according to a Bureau of Mines survey by Dr. Carlton Brown of the U. S. Bureau of Mines, made in 1936 and 1937, the average dust count was 2,200,000 particles per cubic foot, while the U. S. Department of Labor at that time claimed that the danger point was not reached until the highly silicious dust particles reach 5,000,000 particles per cubic foot, (Bulletin No. 13 U. S. Department of Labor, National Silicosis Conference, February 3, 1937, page 3) and should be kept below 5 million particles per cubic foot.

It would be impossible to say how many miners working in the mines of Butte have silicosis unless every miner had an X-ray taken of his lungs. Then, probably only those who may be in the third stage would be determined to have the disease. Therefore, no one knows how many miners are afflicted, whom they were employed by, when stricken, whether it was in Butte, some other mine in Montana outside of Butte, or whether outside of Montana or the United States. Then the general physical condition of each man, as well as the X-ray of the lungs, would be a determining factor.

The subject of compensation for victims of silicosis is one that must be given careful and extensive consideration. The Workmen's Compensation laws of the country are based on the theory that industry should take care of its injured. However, with silicosis, it is hard to determine the question as to which employer is responsible. Should a man who contracted silicosis in some other state outside of Montana, or the United States, receive the benefits of a Montana industrial disease law? Such a thing might be humanitarian but hardly practical, or equitable. Yet there are men suffering from silicosis in Montana, with a working record covering other states and countries, who undoubtedly could not prove when or where they acquired the disease. To take care of the present victims of silicosis in Montana who are incapacitated so that they are unable to work, we recommend that the same be made eligible for benefits under the Social Security Act and that the legislature memorialize Congress to extend grants to states to aid in giving such persons necessary aid.

Those who are afflicted with silicosis, who are in the early stages of the same, who are not incapacitated, and desire a change of occupation in order that the progress of the disease may be stopped, should be taken care of by the Bureau of Rehabilitation of the State until such time as they have been established in a new occupation or undertaking.

The question of compensation for occupational diseases is being much discussed throughout the country, especially compensation for silicosis. Our sympathy is with the victims of occupational diseases, but the problem is how to secure legislation that will compensate the sufferer of the disease without a possible reaction that will do an injury to the victims or to those engaged in the industries who are not afflicted.

Occupational disease compensation means a physical examination for all working in the industry, and those who are afflicted with an occupational disease will, in all likelihood, be barred from work. Not only will workers suffering from silicosis be X-rayed, but the general physical condition of the worker will be considered; if he is not robust, then he stands a chance of being discharged or refused employment. The age limit will, in all likelihood, be enforced, as many employers consider age an increased risk. All this has been the experience of workers in other states that have the occupational disease compensation. In some states which have

recently enacted laws for compensation of victims of industrial diseases, a shameful, ruthlessness was experienced by the workers who were discharged from their jobs on account of impaired health.

Physical examinations will likely be made of workers at stated intervals in certain industries, and those who are suspected of having symptoms of an occupational disease may lose their jobs for the reason that they become an occupational disease liability to the employer, while the worker may never know the cause of his dismissal.

Care must be taken in drafting a Compensation Act so that there is no kick-back on the workers in the affected industries. The greatest good to the greatest number should be the end desired.

Until a thorough study of occupational diseases in this state is made a real method of compensating the victims of these diseases cannot be formulated.

Prevention and elimination of the causes of industrial diseases should be carried forward vigorously, as prevention and elimination is preferable to compensation. Prevention of industrial diseases must be made general to be successful. Therefore, we recommend that a law be enacted creating the Department of Industrial Hygiene of the State Board of Health, giving the Department power to investigate industrial diseases and making rules to enforce sanitary working conditions. A working draft of a Bill to create such a Department accompanies this report.

As this Commission has not had sufficient time to make a complete study of occupational diseases, their cause and prevention, we suggest that the Commission be continued two years longer and have an opportunity to work with the proposed Department of Industrial Hygiene in an effort to work out a program for the prevention and elimination of industrial diseases, and the compensation of the victims of such diseases.

In conclusion, we recommend to all employers and employees that they co-operate in an earnest endeavor to eradicate industrial diseases in this state and further, that they put on a campaign of safety first to reduce the number of industrial accidents.

Respectfully submitted,

W. F. COGSWELL
J. J. CARRIGON
JAMES D. GRAHAM
CARL J. TRAUERMAN

I concur in the report and recommendations of the majority above set forth except as to the summary of the proceedings had at the hearings held in Helena, Anaconda and Butte, and as to these hearings I desire to supplement the report by giving my version of the testimony submitted at those hearings:

The Helena Meeting: The Helena hearing was held on November 30th, 1938, at the courthouse. Miss Kathleen Nielson, Secretary of the Montana Woolgrowers Association, offered the first testimony and that was in regard to Anthrax, a disease mentioned in connection with formerly attempted occupational disease legislation. She had a prepared statement which stated, among other things, that there had been only two cases of Anthrax in Montana in fifteen years and that these two cases were not contracted in handling wool and expressed the opinion that if occupational disease legislation was to be contemplated, that Anthrax should not be included, because, in her opinion, she could see no reason why woolgrowers should pay insurance premiums for a disease that did not exist.

A representative of the employees of the East Helena smelter was the next to testify. He stated that he was testifying unofficially and

without sanction of the organization with which he was affiliated, and also without preparation. The testimony offered by him was along general lines and not specific. He seemed to be of the opinion that a health hazard existed in the East Helena smelter from lead fumes in the smelting and rock dust in the milling department of the plant. In his opinion, much remained to be done to entirely eliminate these evils, although during his 13 years experience in smelter work there have been vast improvements.

The management of the East Helena plant then testified and admitted that an occupational disease hazard existed in the smelting industry, and told of the many things that had been done over a period of years to try to reduce the risk to an irreducible minimum. In this connection, the plant physician told of periodical examinations to determine how exposure to lead fumes affected the men's health and how a system had been worked out whereby men having a certain amount of lead in their system, approaching the danger point, were transferred to another line of work.

The Anaconda Meeting: The Anaconda hearing was held on December 2nd, 1938, at the Anaconda courthouse. The first one to testify was a representative of the printing trades. He gave some national statistics on the incidence of lead poisoning among printers, and told of one case in Montana of which he had personal knowledge. He was of the opinion, though, that in a general way printers' health was affected by their occupation.

Anaconda smeltermen then took the stand and as evidence presented seven death certificates and doctors' statements of temporary disability, in all of which either the contributing cause or the direct cause of death or disability was given as silicosis. These certificates were taken from the files of the Smeltermen's Union and dated back to a time when the Union paid sick and death benefits, which has since been discontinued. They told further of dust conditions in the crushing departments of the mill at the smelter and at the lime rock and phosphate milling plants.

In regard to injury from arsenic, an ex-smelterman was produced, the septum of whose nose was perforated as a result of working in and around arsenic. The smeltermen stated that they had a number of men who were not available at the moment and who were damaged likewise. The witness also claimed some lung damage as a result of exposure to arsenic.

The metal trades, represented by the iron workers and welders, testified that their line of work exposed them to a dust hazard, inasmuch as in repairing machinery or doing their work, it necessitated their cleaning off beams in the roof of the plants. Another case was produced as evidence, wherein the man displayed unusual symptoms often attributed to lead poisoning. In the ensuing discussion it was questioned whether or not his condition was occupational or due to a nervous ailment known as Parkinson's disease.

Mr. Lemmon, Assistant Superintendent of the Anaconda smelter, then took the stand and told of dust counts having been made during the past year, and using as a safe basis a count of 10 million particles per cubic foot, stated that in no department, except one spot where nobody worked, did the dust count exceed that number. He told of dust collecting systems which cost a considerable sum of money and which had been installed within recent times that went a long way toward correcting the conditions complained of.

The Butte Meeting: The Butte hearing was held on December 5th, 1938, at the courthouse and continued over to the following day. At this hearing, nothing was heard of any occupational disease other than silicosis.

A representative of the Butte Miners Union was the first to testify and his testimony was supplemented by two others and most of which testimony was of a general nature, although doubtless the men spoke with experience. An official of the Anaconda Copper Mining Company

then took the stand and told of the Bureau of Mines tests conducted there in 1937 and which tests, according to him, tended to show that atmospheric dust concentrations averaged throughout the Butte mines were within what is considered safe limits. The ventilation engineer of the Anaconda Company took the stand and demonstrated and explained the devices with which they determine atmospheric dust counts.

Representatives of the Butte Miners Union then submitted twenty X-ray pictures of miners' chests with work histories, ranging from 4 to 30 years, and all of which but four had worked less than fifteen years underground. These were explained by a doctor who is also an X-ray technician, and in his opinion, 60% of the pictures showed evidence of silicosis in one stage or another. None of these subjects, however, were submitted as disability cases but as evidence that, despite all precautions, there was still enough dust underground to affect the miners' lungs to a certain extent.

On the second day of the hearing, the Anaconda Copper Mining Company made a request of the Commission that other doctors besides the one who took the X-rays be permitted to express their opinions. This request was granted by the Commission under the condition that the Anaconda Copper Mining Company could select two doctors and the Miners Union one more doctor in addition to their X-ray man, to be supplemented by the chief of the Galen institution. A date was set far enough in advance to notify the doctors concerned. A brief was then submitted by the miners' representatives, to which the company requested time to make a reply, inasmuch as they considered some of the statements without foundation. This request, with the permission of the miners, was granted, and a date set for December 13th, 1938.

On this date, the company submitted a written statement in accordance with their request. On the afternoon of this date, a review was held at St. James Hospital of the twenty X-ray pictures submitted by the miners. The superintendent of the Galen institution could not be present. Hence, there were four doctors present, two approved by each party to the controversy. One of the twenty pictures was unanimously agreed to be definitely silicotic; eleven of the other pictures showed signs of lung fibrosis. Some of the other X-rays also showed a fibrosis but were discounted because of the fact that they also showed evidence of having been tubercular at some time or other in their life.

Respectfully submitted,

DENIS McCARTHY.

Dated at Helena, Montana,
January 6th, 1939.

.....BILL NO.....

Introduced by.....

A Bill for an Act to create a Division of Industrial Hygiene within the State Board of Health of Montana, defining its powers and duties, requiring the reporting of occupational diseases and providing for the inspection of all places of employment where occupational diseases may occur.

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. There is hereby created and established within the State Board of Health of the State of Montana a Division of Industrial Hygiene. The members of the State Board of Health shall be ex-officio members of such Division and the Secretary of the State Board of Health shall be ex-officio Secretary of said Division.

Section 2. The Division of Industrial Hygiene shall have the following powers:

(1) To make studies of industrial hygiene and occupational disease problems in the industries of Montana;

(2) To keep and maintain complete records of its studies, recommendations and other activities;

(3) To make investigations of the sanitary conditions under which the men and women work in the various industries of the state;

(4) To make and enforce regulations for the correction of unsanitary conditions found;

(5) To report to the industries concerned the findings of such investigations and to work with such industries to remedy unsanitary conditions;

(6) To employ such help as may be necessary to make the investigations and enforce the regulations and as is justified by the appropriation.

Section 3. The Secretary of the Division of Industrial Hygiene is hereby authorized and directed to design and provide suitable blanks for reporting occupational diseases and prepare instructions for their use, and to furnish them free of charge to all registered physicians, medical clinics, hospitals and industrial plans.

Section 4. Whenever the Secretary of the Division of Industrial Hygiene receives a report that there is within the State of Montana a case of occupational disease, he may cause an investigation to be made to determine the authenticity of the report and the cause of the disease.

Section 5. Once each year and at such other times as is deemed proper, the Division of Industrial Hygiene shall compile statistical summaries of all occupational diseases reported, together with the type of employment leading to the occurrence of such diseases and shall disseminate to all employers of this state instructions and information deemed proper and expedient to prevent the occurrence or recurrence of occupational diseases.

Section 6. Occupational diseases defined. An occupational disease, for the purpose of this statute, is an illness of the body which has the following characteristics:

(1) It arises out of and in the course of the patient's occupation.

(2) It is caused by a frequently repeated or a continuous exposure to a substance or to a specific industrial practice which is hazardous and which has continued over an extended period of time.

(3) It presents symptoms characteristic of an occupational disease which is known to have resulted in other cases from the same type of specific exposure.

(4) It is not the result of ordinary wear and tear of industrial occupation or the general effect of employment or the kind of illness that results from contacts or activities in life outside of the patient's occupational pursuits.

Section 7. From and after the passage and approval of this act, every physician, hospital or clinic superintendent, and the State Coal and Quartz Mine Inspectors, having knowledge of a case of occupational disease shall, upon request of the Secretary of the Division of Industrial Hygiene of the State of Montana, and within ten days after such request, report the same to the Division of Industrial Hygiene of the State of Montana on a form provided by said Division, giving the name and address of the patient, the name and business address of the employer or employers, the business of the employer, the place of the patient's employment, the length of time of his employment in the place where he took ill, the nature of the disease, and any other information required by the Division of Industrial

Hygiene. All such reports and all records and data of the Division of Industrial Hygiene of the State of Montana pertaining to such diseases are hereby declared not to be public records or open to public inspection, and shall not be admissible as evidence in any action at law or in any hearings under the Workmen's Compensation Act of the State of Montana.

Section 8. Any physician, surgeon, hospital or clinic superintendent in charge of a hospital or of clinic records, or any other person required to make such report hereunder, who shall fail to make any report required under the provisions of this act, or who shall wilfully make any false statement in such report, shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not more than five hundred dollars.

Section 9. All acts and parts of acts in conflict herewith are hereby repealed.

Section 10. This act shall be in full force and effect from and after its passage and approval.

INTRODUCTION OF BILLS

The following Bill was introduced, read first and second time and referred to the Committee on Constitutional Amendments:

House Bill No. 4, introduced by Ryan and Cannon: A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section One (1) of Article Eighteen (18) of the Constitution of the State of Montana, relating to the Bureau of Agriculture and/or Bureau of Labor and Industry."

Mr. Ernest Immel, Legislative Reporter for the Great Falls Tribune, spoke informally to the Members of the House on Parliamentary Procedure. Upon motion by Stromnes, duly seconded and carried, Mr. Immel was accorded a vote of thanks for his enlightening talk.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Tuesday morning, January 10th, 1939, at 10:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

NINTH DAY

House of Representatives,
Helena, Montana,
January 10, 1939.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except Loughran, who was excused.

Mr. Speaker: We, your committee on Journal, having examined the Journal for the Eighth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice that on tomorrow or some subsequent day they would introduce the following.

By P. C. Petersen and R. G. Tyler: A bill for an act entitled: "An act permitting boards of county commissioners to provide at their option

additional judges and clerks of election for the purpose of counting and tabulating votes and defining the duties and powers of the judges and clerks in each precinct containing one hundred and fifty or more registered voters, provided said precincts do not use voting machines and providing for the penalty for the violation of the provisions of this act."

By Committee on Appropriations, Dougherty, chairman: A bill for an act entitled: "An act to provide for the disposition of all money received from income tax, corporation license tax, electric energy producers' license tax, metalliferous mines license tax, telegraph license tax, oil producers' license tax, natural gas distributors' license tax, store license tax, public contractors' license tax, cigaret dealers' license tax, telephone license tax, movie theatre license tax, liquor license tax, inheritance tax, Montana beer act and profits from state liquor control act of Montana: Amending sections 2343.3, as amended by Chapter 83, laws of 1937; 2344.12, 2399, 2815.50 Revised Codes of Montana, 1935; and repealing Sections 11, subsection 1, of Chapter 87, laws of 1937, 2295.28, 2303.12, 2355.9, 2408.9, 2433.8, 2435.4, 2815.157 and 10400.49 Revised Codes of 1935; and Section 9, Chapter 94, laws of 1937; Section 7, Chapter 91, laws of 1937; Section 29, Chapter 84, laws of 1937; Section 7, Chapter 201, laws of 1937; and Section 11, Chapter 199, laws of 1937."

By Committee on Appropriations, Dougherty, Chairman: A bill for an act entitled: "An act to transfer certain unappropriated funds to the general fund of the State of Montana."

By Spiegel and McClain: A bill for an act entitled: "An act to amend Sections 2816, 2841, 2843, 2898, 2911 and 2981 of the Revised Codes of Montana of 1935, and to repeal Sections 2978, 2979, 2980, 2982, 2983, 2984, 2985, 2986, 2987, 2988 and 2989 of the Revised Codes of Montana of 1935; all relating to workmen's compensation; and to repeal all acts and parts of acts in conflict herewith, with certain reservations."

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times and referred to the Committee on Townships and Counties:

House Bill No. 5, Introduced by Bjorneby: A bill for an act entitled: "An act providing for the release, relinquishment and conveyance to the United States of America of all the right, title and interest of the State of Montana in and to the minerals now known or hereafter found to exist in the northeast quarter (NE $\frac{1}{4}$) of section thirty-six (36), township thirty-four (34) north, range twenty (20) west, Montana principal meridian."

The speaker appointed the following committees:

Entertainment: Lippard of Chouteau, Chairman; Stromnes of Cascade, Vice-Chairman; Horrigan of Granite, Dunn of Gallatin, Watson of Missoula.

Labor: Spiegel of Silver Bow, Chairman; Moss of Custer, Vice-Chairman; Liggett of Musselshell, Bower of Mineral, Woods of Phillips, Freshman of Silver Bow, Williams of Yellowstone, Stromnes of Cascade, Gebhardt of Yellowstone, Murray of Deer Lodge, Roehl of Fergus, Ryan of Silver Bow, Listug of Roosevelt, Long of Fallon and Aronson of Glacier.

Workmen's Compensation: McCarthy of Silver Bow, Chairman; Stevens of Cascade, Vice-Chairman; D'Ewart of Park, Freshman of Silver Bow, Dunn of Gallatin, Brown of Silver Bow, Longenecker of Ravalli, Anderson of Cascade, Miles of Sweet Grass, McClain of Missoula, Sorte of Daniels, Smith of Lewis and Clark, Anderson of Phillips, Murray of Deer Lodge and Armstrong of Flathead.

Fish and Game: Malee of Deer Lodge, Chairman; Cannon of Silver Bow, Vice-Chairman; Stewart of Rosebud, Berthot of Gallatin, Brower of

Lake, Daniels of Lincoln, D'Ewart of Park, Ekern of Sanders, Hammond of Yellowstone, Flynn of Missoula, Kellogg of Pondera, Lowe of Dawson, Armstrong of Flathead, Miles of Sweet Grass and Newell of Carbon.

It was moved by McLeod, duly seconded and carried, that the House recess until 1:00 o'clock P. M.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your committee on employment, having had under consideration applicants for employment beg leave to report:

John O'Brien, change from clerk to chief engrossing clerk.

Mrs. Lila Slaughter, change from clerk to assistant engrossing clerk.

Murray Johnston, changed from clerk to assistant enrolling clerk.

Frances Elge, changed from temporary assistant law clerk to law clerk.

Mr. Emmett Angland, assistant law clerk.

Laura Jacobs, stenographer.

LAMBERT, Chairman.

Report adopted.

On substitute motion, it was moved by Ryan, duly seconded, that the report of the employment committee be returned with instructions to take the name of Mrs. Lila Slaughter off the report.

After discussion the previous question was moved by Stromnes, duly seconded and carried.

The substitute motion by Ryan was put and lost. Whereupon the motion of Lambert to adopt the report carried.

NOTICES

Authors gave notice that on tomorrow or some subsequent day they would introduce the following:

By M. A. McClain, John J. Flynn, Fred Watson: A bill for an act entitled: "An act to amend Section 7, 264.2 of the Revised Codes of Montana of 1935 relating to the organization of irrigation districts by owners of water rights. Having a common source of supply and a single intake from such common source of supply, for the purposes of operation and administration of said system without the necessity of the acquisition by such irrigation district of the existing water rights, system or works owned by the respective water right owners within the district, and conferring on such districts the powers, duties and status of public corporations organized under the irrigation district law of the State of Montana."

It was moved by McLeod, duly seconded and carried, that the House adjourn until Wednesday, January 11th, at 11:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

TENTH DAY

House of Representatives,
Helena, Montana,
January 11, 1939.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members were present except Loughran, who was excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Ninth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice that on tomorrow or some subsequent day they would introduce the following:

By Brown and Hess: A bill for an act entitled: "An act to amend Section 3043.1 of the Revised Codes of Montana, 1935, relating to the wage scale paid Montana labor in public works."

By Anderson (Phillips): A bill for an act entitled: "An act regulating the speed of motor vehicles on the highways of the State of Montana, fixing the exceptions thereto and defining night-time and day-time for the purposes of this act."

By Frank K. Sullivan and McCarthy: A bill for an act entitled: "An act prescribing the hours of labor for persons employed in and about laundries and dry cleaning establishments; providing exemptions therefrom; and providing penalties for a violation thereof and repealing all acts in conflict herewith."

By Martin: "A resolution memorializing the Congress of the United States for the passage of the legislation for the creation and establishment of the Townsend recovery plan and for benefits to be paid to all persons over the age of sixty years."

By Emswiler: "A joint memorial to the congress of the United States in support of the committee of investigation of un-American practices."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, the Committee on Employment, having had under consideration applicants for positions beg leave to report:

That the following be dropped from the pay roll:

Jack McCaw, Clerk	Clara Campbell, Typist
Wm. Kingston, Clerk	Virginia Shanley, Stenographer
Genevieve Venne, Stenographer	Lula F. Nimmons, Clerk

and that the following be hired:

Doris Lyons, stenographer.

LAMBERT, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your honorable body that the following motion was this day made in the Senate and adopted:

"We move that a special committee be selected to investigate the affairs of the Montana State Liquor Commission. Further that said committee may act independently or in conjunction with a committee from the House. This committee will have full authority to subpoena witnesses and employ necessary persons to assist in said investigation and provide for the compensation from the Legislative Appropriation.

The members of this committee shall be Senators Kathan, Cotter, Chapman, Arnold and Calder."

Signed by:

STARKS
BAKER (Lincoln)
MONTGOMERY
DAVIS
TIERNEY
PLUMER
ROBSON
ECTON
WAITE
LAMP
DAHL
PAULINE
FOOR
LOTT
HENDERSON
SIMMONS
BAKER (Dawson)

The following Senate Resolution was also read at length and upon motion by Mahoney that the President appoint a committee of five to carry out the provisions thereof (motion adopted) the President appointed the following committee:

Foor, Chairman; McQuitty, Armstrong, Lamp and Starks.

A resolution to provide for the appointment of a Senate committee to conduct an investigation into the methods and practices of the Montana State Highway Commission; into the administration of such commission; the handling of highway contracts; in the duplication of employment with other boards and commissions; in the purchases of equipment and supplies; in the employment of unrequired help; and authorizing said committee to hold hearings, subpoena witnesses, take testimony, and report its findings to the Senate.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Goodwin, duly seconded, that the House reconsider its action on the report of the employment committee made yesterday and that the name of Lila Slaughter be removed therefrom.

On substitute motion, it was moved by Spiegel, duly seconded and carried, that the motion of the gentleman from Silver Bow, Mr. Goodwin, be tabled.

It was moved by Byrne, duly seconded, that the Speaker of the House be hereby authorized and directed to appoint a committee from this House not to exceed fifteen (15) in number, to act as a committee of this House for the purpose of investigating, and that it do investigate all elective and appointive state officers, offices, boards, bureaus, departments and commissions, and that said committee be empowered by suitable process of this House to hold hearings, subpoena witnesses, and appoint subcommittees from its membership with like authority; that suitable quarters and necessary clerical help be provided said committee from existing facilities of the House, and that said committee report its findings back to this House not later than the 50th legislative day.

It was moved by Spiegel, duly seconded, that the motion by Byrne be amended to incorporate the following motion:

"That a special committee of five members of the House of Representatives be appointed to investigate the affairs of the Montana State Liquor Commission. Further, that said committee shall act in conjunction with like committee from the Honorable Senate; that said committee shall consist of Hess, Ekern, Beck, Baker and Moss of Flathead;

That said committee shall organize and be given all necessary facilities of the House or Senate as to rooms, equipment, clerical and other assistance; said committee shall keep a record of its proceedings and render to the House a full report of its findings and recommendations at such time as it may deem proper and shall not later than the 45th legislative day submit its final report.

Further, that said joint committee be authorized and empowered to require the attendance of any and all witnesses necessary to the performance of its duty, and said joint committee is authorized and empowered, through its chairman, to issue subpoenas to require the attendance of any persons to testify under oath and to procure for examination by said committee any books, papers and other documentary evidence of any nature or character under the control of such person or persons, and said committee is authorized and empowered to require the sheriff of any county of the State of Montana to serve subpoenas issued by it and said joint committee shall be authorized to employ necessary aid in ascertaining the facts decided and to incur such expenses as may be necessary to properly make such investigation, and that all items of expense be returned by said committee with its report, and that the sergeant-at-arms of the House, be, and is hereby instructed and authorized to pay any and all sums necessarily incurred by said committee upon the presentation to him of a proper voucher signed by the chairman of said committee and the Speaker of the House."

After discussion, the previous question was moved by O'Connor, duly seconded and carried.

Motion by Spiegel was put and lost by a roll call vote which was demanded by the required number, 29 having voted "Aye", 71 having voted "No", one absent and one not voting.

Whereupon motion by Byrne was put and carried.

The following motion was made by Longenecker, duly seconded:

"That the House of Representatives of the Twenty-sixth Legislative Assembly accept for special consideration the resolutions adopted by the Montana Association of County Commissioners in their convention held at Livingston, Montana, on June 20, 21, 22, 1938.

I further move that the following resolutions be referred to the committees I herein suggest with instruction of this body to consider the same and if in their judgment advisable, conduct hearings on the resolution and prepare a bill to cover the situation involved in the resolution. That each committee be urged to give this matter their immediate attention and report the result of their study back to the House at the earliest possible date so as to expedite action on the matters involved.

I move that the resolutions by number be referred to the following committees under the above instructions.

- | | |
|------------------------------|--------------------------------|
| 1—Social Security | 12—Social Security |
| 2—Revenue and Taxation | 13—Social Security |
| 3—Printing | 15—Judiciary |
| 4—Federal Relations | 16—Federal Relations |
| 5—Revenue and Taxation | 17—Livestock and Public Ranges |
| 6—Judiciary | 18—Revenue and Taxation |
| 7—Ways and Means | 19—Conservation of Resources |
| 8—Development and Publicity. | 20—Conservation of Resources |
| 10—Insurance | 21—Education |

On substitute motion, it was moved by Stromnes, duly seconded and carried, motion by Longenecker was referred to the Committee on Judiciary.

It was moved by McLeod, duly seconded and carried, that the House authorize the Employment Committee to employ six additional employees specifying that they be Veterans of the World War.

INTRODUCTION OF BILLS

The following bills were read first and second time and referred to committees, all appropriation measures having been read at length:

House Bill No. 6: Introduced by Committee on Appropriations: A bill for an act entitled: "An act to provide for the disposition of all money received from income tax, corporation license tax, electric energy producers' license tax, metalliferous mines license tax, telegraph license tax, oil producers' license tax, natural gas distributors' license tax, store license tax, public contractors' license tax, cigarette dealers' license tax, telephone license tax, movie theatre license tax, liquor license tax, inheritance tax, Montana beer act and profits from state liquor control act of Montana: Amending Sections 2343.3, as amended by Chapter 83, laws of 1937, 2344.12, 2399, 2815.50, Revised Codes of Montana, 1935; and repealing Section 11, Subsection 1, of Chapter 87, laws of 1937, 2295.28, 2303.12, 2355.9, 2408.9, 2433.8, 2435.4, 2815.157 and 10400.49, Revised Codes of 1935; and Section 9, Chapter 94, laws of 1937; Section 7, Chapter 91, laws of 1937; Section 29, Chapter 84, laws of 1937; Section 7, Chapter 201, laws of 1937; and Section 11, Chapter 199, laws of 1937." Referred to Committee on Appropriations.

House Bill No. 7: Introduced by the Appropriation Committee: A bill for an act entitled: "An act to transfer certain unappropriated funds to the general fund of the State of Montana." Referred to Committee on Appropriations.

House Bill No. 8: Introduced by Spiegel and McClain: A bill for an act entitled: "An act to amend Sections 2816, 2841, 2843, 2898, 2911 and 2981 of the Revised Codes of Montana of 1935, and to repeal Sections 2978, 2979, 2980, 2982, 2983, 2984, 2985, 2986, 2987, 2988 and 2989 of the Revised Codes of Montana of 1935; all relating to workmen's compensation; and to repeal all acts and parts of acts in conflict herewith, with certain reservations." Referred to Committee on Workmen's Compensation.

House Bill No. 9: Introduced by McClain, Flynn and Watson: A bill for an act entitled: "An act to amend Section 7264.2 of the Revised Codes of Montana of 1935 relating to the organization of irrigation districts by owners of water rights, having a common source of supply and a single intake from such common source of supply, for the purposes of operation and administration of said system without the necessity of the acquisition by such irrigation district of the existing water rights, system or works owned by the respective water right owners within the district, and conferring on such districts the powers, duties and status of public corporations organized under the irrigation district law of the State of Montana." Referred to Judiciary Committee.

House Bill No. 10: Introduced by Petersen and Tyler: A bill for an act entitled: "An act permitting boards of county commissioners to provide at their option additional judges and clerks of election for the purpose of counting and tabulating votes and defining the duties and powers of the judges and clerks in each precinct containing one hundred and fifty or more registered voters, provided said precincts do not use voting machines

and providing for the penalty for the violation of the provisions of this act." Referred to Committee on Privileges and Elections.

House Bill No. 11: Introduced by R. G. Lowe: A bill for an act entitled: "An act amending Sections 6479, 6484, 6489, 6490, 6491, 6494, 6495, 6499, 6500, 6502, 6592, of the Revised Codes of Montana for 1935, relating to the formation of cemetery associations, providing for the keeping of records in connection therewith, the upkeep of such cemetery, and providing a means for the creation of a fund out of which permanent care for lots within the cemetery may be had, and for the selection of a trustee or board of trustees for the handling of such funds." Referred to Committee on Corporations Other Than Municipal.

It was moved by McLeod, duly seconded and carried, that the House recess until 1:30 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

The speaker appointed the following committees:

Livestock and Public Ranges: Rice, Big Horn, Chairman; Kirscher, Broadwater, Vice-Chairman; Scofield, Powder River; D'Ewart, Park; Findlater, Custer; Wenger, Deer Lodge; Miles, Sweet Grass; Balgord, Golden Valley; Reed, Blaine; Potter, Meagher; Clark, Wheatland; Metlen, Beaverhead; Hageman, Garfield; Cole, Prairie; Leuthold, Stillwater.

Military Affairs: Sorte, Daniels, Chairman; Horrigan, Granite, Vice-Chairman; Armstrong, Flathead, Malee, Deer Lodge; Aronson, Glacier; Morrison, Lewis and Clark; Gebhardt, Yellowstone; Rice, Big Horn; Hoiness, Yellowstone; Stromnes, Cascade; Longenecker, Ravalli; Wenger, Deer Lodge; Newell, Carbon; Potter, Meagher; Woods, Phillips; Ekern, Sanders.

Mines and Mining: Morrison, Lewis and Clark, Chairman; Brown, Silver Bow, Vice-Chairman; Horrigan, Granite; McCarthy, Silver Bow; Liggett, Musselshell; McGee, Jefferson; Longenecker, Ravalli; Murray, Deer Lodge; Newell, Carbon; Vanderbeck, Madison; Padbury, Lewis and Clark; Woods, Phillips; Goodwin, Silver Bow; Stewart, Rosebud; Siegling, Cascade.

Public Utilities and State Commissions: Berthot, Gallatin, Chairman; Duncan, Missoula, Vice-Chairman; Loughran, Silver Bow; Aronson, Glacier; Cannon, Silver Bow; Baker, Fergus; Cole, Prairie; Findlater, Custer; McFatridge, Yellowstone; Lynch, Chouteau; Newell, Carbon; Stafford, Cascade; Padbury, Lewis and Clark; Friedl, Valley; Brower, Lake.

Agriculture: DeDobbeleer, Valley, Chairman; Hess, Hill, Vice-Chairman; Parker, Flathead; McKenna, Judith Basin; Collins, Richland; Beck, McCone; James, Liberty; Laubach, Teton; Lynch, Chouteau; Martin (Mrs.), Fergus; Reed, Blaine; Melin, Park; Tyler, Sheridan; Woods, Phillips; Hammond, Yellowstone.

Public Safety: Ryan, Silver Bow, Chairman; Lynch, Chouteau, Vice-Chairman; Anderson, Cascade; Armstrong, Flathead; Beadle, Silver Bow; Clark, Wheatland; Bjerneby, Flathead; Woods, Phillips; Daniel, Lincoln; Newell, Carbon; Kirscher, Broadwater; Lowe, Dawson; Beck, McCone; Longenecker, Ravalli; Martin (Mrs.), Fergus.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Brown: A bill for an act entitled: "An act prescribing the hours of service for persons operating or driving commercial motor vehicles, or

tractors, upon the public streets or highways of the State of Montana; providing exemptions therefrom; providing penalties for a violation thereof, and repealing all acts and parts of acts in conflict herewith."

By McCarthy, Brown, Sullivan, Beadle, Cannon: A bill for an act entitled: "An act to amend Section 2952 of the Revised Codes of Montana of 1935, as amended by Chapter 67 of the Session Laws of 1937 relating to workmen's compensation; and to repeal all acts and parts of acts in conflict herewith."

By Stevens: A bill for an act entitled: "An act prescribing the hours of labor for persons employed in or about hotels, restaurants and cafes; providing exemptions therefrom; and providing penalties for a violation thereof and repealing all acts in conflict herewith."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration amendments to House Rules Nos. 35 and 45, beg leave to report as follows:

That Section 2, of House Rule No. 35, be amended to read as follows:

"2. No bills may be introduced after the thirty-fifth day, except substitute bills for bills pending."

That House Rule No. 45 be amended to read as follows:

"Enrollment of Bills. The committee on enrollment shall not report any bill as correctly enrolled that has any words interlined therein or when any words have been erased therefrom except that when the title of any bill shall begin with the words, "A bill for an act, etc.," the committee on enrollment shall omit on the enrolled bill the words, "A bill for an act entitled," nor until the author of the bill, if then in attendance, or in case of a committee bill, the chairman of the committee or a member of the committee designated by the chairman, if such chairman or member is in attendance, have been given an opportunity to examine the same in the presence of the chairman or some other member of the enrolling committee or the enrolling clerk; and in all bills containing amendments to existing statutes, the new parts shall be designated by underlining."

MCLEOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 5, respectfully report as follows: That House Bill No. 5, do pass.

R. G. TYLER, Chairman.

Report adopted.

Mr. Speaker: The Committees on Rules, Joint Rules and Order of Business met in joint session to consider amendments to Joint Rules numbered 11 and 23, and beg to report as follows:

That Joint Rule No. 11 be amended to read as follows:

"No. 11. Enrollment of bills. When a bill has passed both houses, the enrolling clerk of the house in which it originated shall cause to be made an original and two duplicate typewritten copies of the bill as the same was engrossed, together with its history, free from all corrections, erasures, interlineations, defects in orthography and all other clerical inaccuracies; in all bills containing amendments to existing statutes, the new parts shall be designated by underlining; the typewriting shall be done with a black record ribbon, pica type, upon a plain linen finished paper, size 8½ inches wide and 13 inches long; paper to weigh sixteen pounds to

the ream, with a margin of two inches at the top and one inch on each side, thirty lines of type to the page, but lines not numbered, and the bill shall be covered with blue manuscript cover, upon which is written in capital letters the number and title. One duplicate shall accompany the original through both houses, and to the governor, who shall, if approved, sign the original and one duplicate. The original bill will be filed with the secretary of state and the duplicate with the clerk of the supreme court. The second duplicate shall be retained by the chairman of the enrolling committee until the conclusion of the session, when it shall be filed with the secretary of state."

That Joint Rule No. 23, be amended to read as follows:

"Transmission of Bills. No bills transmitted by the House to the Senate nor by the Senate to the House after the forty-seventh day of the session, and no amendments transmitted by the House to the Senate nor by the Senate to the House after the fifty-seventh day of the session shall be considered, with the exception of bills considered by joint conference committee. Bills from said committees may be transmitted at any time up to and including the sixtieth day."

Report adopted.

CAMPBELL (Missoula)
Chairman of Senate Rules
Committee.

McLEOD (Cascade)
Chairman of House Rules
Committee.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second time and referred to the Committee on Privileges and Elections:

House Bill No. 12: Introduced by Padbury: A bill for an act entitled: "An act to amend Sections 8903, 8904, 9334, 9335 and 9341 of the Revised Codes of Montana, 1935, as amended by Chapter 151, laws of the Twenty-fifth Legislative Assembly, relating to the drawing capsules from the trial juror boxes and providing that the district judge shall draw such capsules."

It was moved by McLeod, duly seconded and carried, that the House adjourn until Thursday, January 12th, 1939, at 11:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

ELEVENTH DAY

House of Representatives,
Helena, Montana,
January 12, 1939.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except Loughran who was excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Tenth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

The Speaker appointed the following committees:

Highways and Highway Transportation: Lehrkind of Gallatin, Chairman; Moss of Flathead, Vice-Chairman; Acton of Fergus, Antrim of Ravalli, Aronson of Glacier, D'Ewart of Park, Hageman of Garfield, Loughran of Silver Bow, Malee of Deer Lodge, Parker of Wibaux, Flynn of Missoula, Vanderbeck of Madison, Williams of Yellowstone, Kellogg of Pondera, Smith of Lewis and Clark.

Insurance: Freshman of Silver Bow, Chairman; Acher of Blaine, Vice-Chairman; Baker of Fergus, Duncan of Missoula, Rice of Big Horn, Armstrong of Flathead, Byrne of Toole, Hoiness of Yellowstone, Spiegel of Silver Bow, Liggett of Musselshell, Tyler of Sheridan, Padbury of Lewis and Clark, Listug of Roosevelt, Dunn of Gallatin, Potter of Meagher.

Special Committee of Fifteen to Investigate all Elective and Appointive Officers, Offices, Etc., Under Motion Made by Byrne, January 11th, 1939: Byrne of Toole, Chairman; Moss of Flathead, Vice-Chairman; Spiegel of Silver Bow, Hoiness of Yellowstone, Hess of Hill, O'Connor of Carbon, Freshman of Silver Bow, Baker of Fergus, Leuthold of Stillwater, Ekern of Sanders, Stromnes of Cascade, Lowe of Dawson, Watson of Missoula, Malee of Deer Lodge, Lehrkind of Gallatin.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Armstrong, Moss (Flathead) and Parker (Flathead): A bill for an act entitled: "An act to amend Section 3697.1 of the Revised Codes of Montana of 1935 relating to the taking of deer within the boundaries of cities or towns and providing penalties for the unlawful taking of deer."

By Armstrong, Moss (Flathead) and Parker (Flathead): A bill for an act entitled: "An act to amend Section 3694.1 of the Revised Codes of Montana of 1935 relating to the penalties for the taking of fish and game contrary to law and providing a special penalty for shooting or attempting to shoot game animals with the use of any set gun, jack light, or other artificial light."

By Ryan: A bill for an act entitled: "An act prescribing the hours of labor for persons employed in or about bakeries: Providing for exemptions therefrom; and providing penalties for a violation thereof and repealing all acts in conflict herewith."

By Armstrong: A joint memorial to the Congress of the United States requesting the amendment by that body of the Social Security Act of Congress so as to provide for the payment by the federal government of one-half the money used in aid of dependent children.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, the Committee on Employment, having had under consideration applicants for positions beg leave to report:

Mary Alice Duffy, Stenographer
Estelle Walsh Nagle, Stenographer
Katherine Mimnaugh, Stenographer
Nera Murch, Stenographer
Mickey Walsh, Committee Clerk (half days)
Mairi Stefanic, Stenographer
Herman Strauss, Clerk
Jessia Shurette, Stenographer
Josephine Andrews, Proof Reader

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Employment, recommend that the House approve the proposed action of the Employment Committee to put on a part time or half-time basis all unclassified employees already on the pay roll so that openings will be created for needed stenographic assistance and so that the Employment Committee can keep the employment situation within the limits of Section 63, Chapter 44 of the Session Laws of 1937.

LAMBERT, Chairman.

It was moved by Lambert, duly seconded, that the above proposal be approved by the House. Motion was lost.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 5 beg leave to report that the same has this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 4, respectfully report as follows: That House Bill No. 4 be referred to the Committee on Labor with instructions that upon their completion of the consideration of same that said bill forthwith be returned to your Committee on Constitutional Amendments, accompanied with the recommendations of your Committee on Labor.

STAFFORD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration the motion of the gentleman from Ravalli that the House accept for special consideration the 21 separate and several resolutions adopted by the Montana Association of County Commissioners at their annual convention held in Livingston on June 20th, 1938, do hereby respectfully recommend and report that said motion be amended to read as follows:

"I move that the several and separate resolutions of the Montana Association of County Commissioners duly adopted in annual convention at Livingston, Montana, on June 20th, 1938, be duly referred by the Speaker of the House to the several appropriate House Standing Committees, with instructions from the House to the said committees to which said resolutions are severally referred, to study the same and offer such legislative amendments or bills as in their discretion are deemed necessary or advisable at the earliest convenience of the committee to which said several resolutions are referred."

And that, as so amended, the said motion be adopted.

STROMNES, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Bill No. 13: Introduced by Sullivan and McCarthy: A Bill for an act entitled: "An act prescribing the hours of labor for persons employed in and about laundries and dry cleaning establishments; providing exemptions therefrom; and providing penalties for a violation thereof and repealing all acts in conflict herewith." Referred to the Committee on Labor.

House Bill No. 14: Introduced by Anderson of Phillips: A bill for an act entitled: "An act regulating the speed of motor vehicles on the highways of the State of Montana, fixing the exceptions thereto and defining night-time and day-time for the purposes of this act." Referred to the Committee on Highways and Highway Transportation.

House Bill No. 15: Introduced by McCarthy: A bill for an act entitled: "An act to amend Section 2952 of the Revised Codes of Montana of 1935, as amended by Chapter 67 of the Session Laws of 1937 relating to workmen's compensation; and to repeal all acts and parts of acts in conflict herewith." Referred to the Committee on Workmen's Compensation.

House Bill No. 16: Introduced by Hess and Brown: A bill for an act entitled: "An act to amend Section 3043.1 of the Revised Codes of Montana, 1935, relating to the wage scale paid Montana labor in public works." Referred to the Committee on Labor.

House Bill No. 17: Introduced by Brown: A bill for an act entitled: "An act prescribing the hours of service for persons operating or driving commercial motor vehicles, or tractors, upon the public streets or highways of the State of Montana; providing exemptions therefrom; providing penalties for a violation thereof, and repealing all acts and parts of acts in conflict herewith." Referred to the Committee on Labor.

House Bill No. 18: Introduced by Stevens: A bill for an act entitled: "An act prescribing the hours of labor for persons employed in or about hotels, restaurants, and cafes; providing exemptions therefrom; and providing penalties for a violation thereof and repealing all acts in conflict herewith." Referred to the Committee on Labor.

House Joint Memorial No. 1: Introduced by Mrs. Martin: A resolution memorializing the Congress of the United States for the passage of the legislation for the creation and establishment of the Townsend recovery plan, and for benefits to be paid to all persons over the age of sixty years. Referred to Committee on Social Security, when such committee is appointed.

House Joint Memorial No. 2: Introduced by Emswiler: A memorial in support of the Committee of Investigation of un-American practices. Referred to the Committee on Federal Relations, when such committee is appointed.

It was moved by O'Connor, duly seconded, and carried by a two-thirds vote, that the House revert to Order of Business No. 6, Motions and Resolutions.

It was moved by Smith, duly seconded, that the House reconsider its action in regard to the Employment Committee proposal for putting the unclassified employees on a part time or half-time basis.

It was moved by McLeod, duly seconded, that the motion by Smith be tabled. Motion was lost. Whereupon motion by Smith was put and carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, recommend that the House approve the proposed action of the Employment Committee to put on a part time or half-time basis all unclassified employees already on the pay roll so that openings will be created for needed stenographic assistance and so that the Employment Committee can keep the employment situation within the limits of Section 63, Chapter 44 of the Session Laws of 1937.

Report adopted.

LAMBERT, Chairman.

It was moved by McLeod, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By McGee: A bill for an act entitled: "An act to provide for a dairyman's lien and to provide the means by which a dairyman may take advantage thereof."

By Liggett, Wilson, Newell, Watson, O'Connor, Balgord, Anderson (Cascade), Dunn, Moss (Custer) and McFatridge: "An act providing the method for computing certain deductions allowable on mine taxes in the mining, production, preparation and marketing of coal in Montana."

By Liggett, Wilson, Newell, Watson, O'Connor, Balgord, Anderson (Cascade), Dunn, Moss (Custer), and McFatridge: "An act to repeal Sections 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2324, 2325, and 2326 of the Revised Codes of Montana of 1935, relating to coal mines license taxes."

By Lambert and Hess: "An act to amend Section 5003 Revised Codes of Montana of 1935 relating to the election and term of office of officers of cities and towns operating under the mayor-council plan of municipal government, so as to make such terms of office four years instead of two years."

By Liggett: House Joint Memorial, entitled: "A memorial to the Congress of the United States of America requesting an investigation of the wrongful destruction, removal, and failure to replace the fair ground buildings of the County of Musselshell, and thereafter cause restitution of the same, said buildings having been wrongfully destroyed and removed by authority of the National Parks Service."

By Long and Ekern: House Joint Memorial, entitled: "A joint memorial to the Congress of the United States, relating to a change of the national banking and monetary systems."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 7, respectfully report the same do pass.
DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 6, respectfully report that the same do pass.

DOUGHERTY, Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Friday, January 13th, 1939, at 10:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

TWELFTH DAY

House of Representatives,
Helena, Montana,
January 13, 1939.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Loughran of Silver Bow.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Eleventh Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice that they would, on tomorrow or some subsequent day, introduce the following:

By Lippard and Lynch: A bill for an act entitled: "An act to amend Section 134 of the Revised Codes of Montana, 1935, relating to the duties of the Secretary of State."

By Ekern and Sullivan: A bill for an act entitled: "An act to amend Section 1789 of the Revised Codes of Montana, 1935, relating to the employment and compensation of the employees of the State Highway Commission."

By Lambert: A bill for an act entitled: "An act to amend Section 5108.16, Revised Codes of Montana of 1935, relating to minimum wage to be paid members of the police department of cities of the first and second classes of the State of Montana, and those other cities and towns which have now elected, or shall hereafter elect to come under the provisions of Chapter 120 of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana."

By Listug: A bill for an act entitled: "An act authorizing any banking institution to establish stations for receiving of deposits and the payment of checks and similar bank paper, subject to the approval and supervision of the state banking board, and prohibiting branch banking."

By Goodwin and McGee: A bill for an act entitled: "An act to amend Sections 5118 and 5119 of the Revised Codes of Montana, 1935, relating to disability and pension funds of fire department relief associations and the tax levy for maintaining same."

By Labor Committee: A bill for an act entitled: "An act to provide for the general welfare and protect the health, efficiency, and well-being of workers in the State of Montana by providing for the elimination of wage and hour standards detrimental to the health, efficiency, and general well-being of workers: to prescribe the minimum wage and maximum hours standards and to provide for the further determination and establishment of minimum wages by industry; to provide for the enforcement of such provisions and to prescribe the powers and duties of the director of the labor department under this act; to prescribe penalties for violations of this act or of orders or regulations of the director of the labor department authorized hereunder and to repeal: Sections 3068, 3069, 3069.1, 3069.2, 3069.3, 3070, 3071, 3072, 3073, 3073.1, 3073.2, 3073.3, 3074, 3075, 3076, 3079, 3080, 3083.1, 3083.2, 3083.3, 3083.4, 3083.5, of the Revised Codes of Montana, 1935."

By Hoiness, Stromnes, Kellogg, Wilson, O'Connor, McFatridge, Williams, Gebhardt, Hammond, Lippard and Friedl: A memorial to the Congress of the United States advocating such remedial legislation as will

prevent the reduction of sugar beet acreage in Montana, thus insuring the maintenance of the sugar beet industry in the State of Montana.

By Metlen: A bill for an act entitled: "An act to amend Sections 2132, 2133 and 2136, and to repeal Sections 2135 and 2137 of the Revised Codes of Montana, 1935, relating to the assessment of railroads by the State Board of Equalization."

By Metlen: A bill for an act entitled: "An act to amend Section 2207 of the Revised Codes of Montana, 1935, as amended by Chapter 101, laws of 1937, relating to assignments of rights of counties acquired at sales of real property for delinquent taxes, and the form of certificate of assignment."

By Metlen: A bill for an act entitled: "An act to repeal Section 2090.2 and Section 2096.2, Revised Codes of Montana of 1935, relating to the assessment and taxation of royalty interests and net proceeds of mines."

By Metlen: A bill for an act entitled: "An act amending Section 2210 of the Revised Codes of Montana, 1935, relating to redemption from tax sales."

By Metlen: A bill for an act entitled: "An act to repeal Sections 2435.1, 2435.2, 2435.3, and 2435.4 of the Revised Codes of Montana, 1935, relating to the imposition of a license tax upon dealers in cigarettes."

By Metlen: A bill for an act entitled: "An act to amend Section 2295.7 of the Revised Codes of Montana, 1935, as amended by Chapter 28 of the laws of the Twenty-fifth Session of 1937, relating to income tax and defining gross income and what is included therein."

By Metlen: A bill for an act entitled: "An act to amend Section 2122.9 of the Revised Codes of Montana, 1935, relating to appeals to the State Board of Equalization: Providing for hearing thereon and reference thereof and authorizing the employment of a reporter for such hearings."

By Metlen: A bill for an act entitled: "An act to amend Section 2001.1 of the Revised Codes of Montana, 1935, relating to the determination of the percentage basis and taxable value of the various classes of property for taxation by the assessors of the State of Montana and to repeal Section 2001.4 of the Revised Codes of Montana, 1935, relating to the application of percentage basis and the duty of the county clerk and recorder with respect thereto."

By Metlen: A bill for an act entitled: "An act to amend Section 1760 of the Revised Codes of Montana, 1935, as amended by Chapter 138 of the laws of Montana, enacted by the Twenty-fifth session, 1937, relating to registration of motor vehicles, fees, disposal of proceeds, fee for half year, dealers' registration and transfer thereof, and exempting public owned vehicles: and providing fees for tractors, defining same, and fees for trailers and semi-trailers."

By Metlen: A bill for an act entitled: "An act to amend Section 2295.26 of the Revised Codes of Montana, 1935, relating to the levy upon and sale of property for the payment of income tax and the lien of such tax upon such property and upon salaries."

By Metlen: A bill for an act entitled: "An act to amend Section 2182 of the Revised Codes of Montana, 1935, relating to publication of notice of delinquent tax sales."

By Metlen: A bill for an act entitled: "An act to amend Section 2238, Revised Codes of Montana of 1935, relating to the duty of the assessor to report certain personal property tax assessments."

By Metlen: A bill for an act entitled: "An act to amend Section 2000.4 of the Revised Codes of Montana, 1935, relating to deductions in ascertaining the value of shares of national bank for taxation."

By Metlen: A bill for an act entitled: "An act to amend Section 2317 and Section 2323, Revised Codes of Montana of 1935, relating to licensing persons engaged in the business of coal mining, fixing the fees therefor, and providing for enforcement thereof."

By Metlen: A bill for an act entitled: "An act to amend Section 1996 of the Revised Codes of Montana, 1935, relating to the definition of terms employed in the code in dealing with the subject of taxation."

By Metlen: A bill for an act entitled: "An act to amend Sections 2138, 2139, 2141, 2142, 2143, 2144, and 2146, and to repeal Section 2140 of the Revised Codes of Montana, 1935, relating to assessment of telegraph, telephone, and electric power lines, and other properties continuing throughout more than one county in the State of Montana, by the State Board of Equalization."

By Spiegel, by Request: A bill for an act entitled: "An act to authorize, regulate, control and license the operation of slot machines and other similar mechanical devices in the State of Montana; authorizing, empowering and directing the State Board of Equalization to issue licenses to persons qualified under this act to operate such machines; granting to said board certain power and authority to prescribe and promulgate rules and regulations with statutory effect; defining the machines covered by this act and the meaning of other words and terms used herein; providing for a license tax and fixing the amount of license fees to be paid for each machine and for the collection thereof; prescribing hours during which machines may be operated and the place, manner and conditions where and under which the same shall be located; prescribing the method of operation of said machines and the minimum percentage of their pay off; providing for the suspension and revocation of licenses; providing for hearings by the board and appeals from decisions thereof; prohibiting minors and other persons from playing said machines and frequenting places where said machines are operated; permitting cities, towns and, in certain instances, counties, to levy a license tax therefor in addition to the state tax herein provided for; granting the State Board of Equalization strict regulation and control over licenses and licenses and declaring the policy of the law relating to the legalized operation of slot machines and similar mechanical devices; providing the method of collecting the license fees; providing for the allocation of revenue derived from the licenses and fines under this act; providing penalties for the violation of this act; declaring this act to be an emergency measure and repealing all acts and parts of acts in conflict herewith."

By Spiegel, by Request: A bill for an act entitled: "An act to authorize, regulate, control and license the operation of gambling games and games of chance; authorizing, empowering and directing the State Board of Equalization to issue license to persons qualified under this act to operate gambling games and games of chance; granting to said board certain powers and the authority to prescribe and promulgate rules and regulations with statutory effect; defining games of chance covered by this act and the meaning of other words and terms used herein; providing for a license tax and fixing the amount of license fees to be paid for said licenses which in case of a house license shall not exceed the sum of \$1500.00 per quarter and not to exceed the sum of \$100.00 per month per game; prescribing duties and license fees of dealers and persons operating said games; prescribing the hours during which games may be played and the place, manner and conditions for the playing thereof; providing for the suspension and revocation of licenses, providing for hearings by the board and appeals from decisions thereof; prohibiting minors and other persons from participating in said games or frequenting places where said games are played; permitting cities, towns, and, in certain instances, counties, to levy a

license tax therefor in addition to the state tax herein provided for; granting to the State Board of Equalization strict regulation and control over licenses and licensees and declaring the policy of the law relating to legalized gambling; providing the method of collecting said license fees; providing for the allocation of revenue derived from the licenses and fines under this act; providing penalties for the violation of this act; declaring this act to be an emergency measure and repealing all acts and parts of acts in conflict herewith."

By Balgord: A bill for an act entitled: "An act to amend Section 466 of the Revised Codes of Montana, 1935, relating to the bonds of county officers."

The Speaker appointed the following committees:

Irrigation and Water Rights: Kirscher, Broadwater, Chairman; Anderson, Phillips, Vice-Chairman; Flynn, Missoula; Acher, Blaine; Brower, Lake; Clark, Wheatland; Berthot, Gallatin; Collins, Richland; Metlen, Beaverhead; Longenecker, Ravalli; Lowe, Dawson; Wilson, Carbon; Miles, Sweet Grass; Horrigan, Granite; McFatridge, Yellowstone.

Water Conservation and Flood Control: Parker, Wibaux, Chairman; Antrim, Ravalli, Vice-Chairman; Stewart, Rosebud; Collins, Richland; Lynch, Chouteau; Emswiler, Carter; Melin, Park; Findlater, Custer; Rice, Big Horn; Hageman, Garfield; Scofield, Powder River; Petersen, Sheridan; Balgord, Golden Valley; Hoiness, Yellowstone; Baker, Fergus.

Privileges and Elections: Bjerneby, Flathead, Chairman; Ryan, Silver Bow, Vice-Chairman; O'Connor, Carbon; Acher, Blaine; Parker, Flathead; Freshman, Silver Bow; Hageman, Garfield; Stafford, Cascade; Friedl, Valley; Hess, Hill; Collins, Richland; McKenna, Judith Basin; Acton, Fergus; Emswiler, Carter; Wilson, Carbon.

Public Morals, Charies and Reforms: Lippard, Chouteau, Chairman; Siegling, Cascade, Vice-Chairman; O'Connor, Carbon; Acton, Fergus; Laubach, Teton; Wenger, Deer Lodge; Padbury, Lewis and Clark; Bower, Mineral; Kellogg, Pondera; McCarthy, Silver Bow; Wilson, Carbon; Daniel, Lincoln; Sullivan, Silver Bow; Parker, Flathead; Long, Fallon.

Conservation of Resources: Metlen, Beaverhead, Chairman; Moss, Custer, Vice-Chairman; Laubach, Teton; Cole, Prairie; Daniel, Lincoln; Williams, Yellowstone; Dunn, Gallatin; Byrne, Toole; O'Connor, Carbon; Acher, Blaine; Anderson, Phillips; Scofield, Powder River; Morrison, Lewis and Clark; Sorte, Daniels; Balgord, Golden Valley.

Federal Relations: Stevens, Cascade, Chairman; Wenger, Deer Lodge, Vice-Chairman; Tyler, Sheridan; Beadle, Silver Bow; Cole, Petroleum; D'Ewart, Park; Goodwin, Silver Bow; Wilson, Carbon; Lambert, Hill; Martin, Fergus; Listug, Roosevelt; McGee, Jefferson; Melin, Park; Acton, Fergus; Hammond, Yellowstone.

Social Security: Byrne, Toole, Chairman; Stevens, Cascade, Vice-Chairman; Moss, Custer; D'Ewart, Park; Acher, Blaine; Moss, Flathead; Brown, Silver Bow; Lowe, Dawson; Emswiler, Carter; Melin, Park; Watson, Missoula; Reed, Blaine; Tyler, Sheridan; Martin, Fergus; Anderson, Phillips.

REPORTS OF SELECT COMMITTEES RESOLUTION OF RESPECT

WHEREAS: The members of the House of Representatives of the Twenty-sixth Legislative Assembly have learned of the death of the Honorable Walter Scott of Musselshell County, the Honorable James Whaley of Prairie County, and the Honorable C. W. Braymen of Missoula County, all honored and respected members of this body in the Twenty-fifth Legislative Assembly.

THEREFORE: Be it resolved that we express our sincere regret at their passing and extend profound sympathy to the members of their families.

BE IT FURTHER RESOLVED: That this resolution be recorder in the Journal of the House, and a copy thereof suitably subscribed be sent to the members of their immediate families.

MOSS of Flathead
FRIEDL of Valley
COLE of Prairie
DUNCAN of Missoula
LIGGETT of Musselshell

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 16, respectfully report as follows: That House Bill No. 16 do pass.

SPIEGEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Employment, having had under consideration applicants for positions, beg leave to report:

Remove from the list of employed:

Dora Crowell

New appointments:

Althea Barrett, proof reader

Florence Pesanti, Stenographer, Begin Monday 16

Albert R. Gaskill, proofreader

Laura Jacobs, stenographer

LAMBERT, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following were introduced, read first and second time, and referred to committees:

House Bill No. 19: Introduced by Armstrong, Parker and Moss of Flathead: A bill for an act entitled: "An act to amend Section 3694.1 of the Revised Codes of Montana for 1935, relating to the penalties for the taking of fish and game contrary to law and providing a special penalty for shooting or attempting to shoot game animals with the use of any set gun, jack light, or other artificial light." Referred to Committee on Fish and Game.

House Bill No. 20: Introduced by Armstrong, Parker and Moss of Flathead: A bill for an act entitled: "An act to amend Section 3697.1 of the Revised Codes of Montana of 1935, relating to the taking of deer within the boundaries of cities or towns and providing penalties for the unlawful taking of deer." Referred to the Committee on Fish and Game.

House Bill No. 21: Introduced by Ryan: A bill for an act entitled: "An act prescribing the hours of labor for persons employed in or about bakeries; providing for exemptions therefrom; and providing penalties for a violation thereof and repealing all acts in conflict herewith." Referred to Committee on Labor.

House Bill No. 22: Introduced by Liggett, Anderson of Cascade, Balgord, Dunn, McFatridge, Moss of Custer, Newell, O'Connor, Watson and Wilson: A bill for an act entitled: "An act providing the method of

computing certain deductions allowable on mine taxes in the mining, production, preparation and marketing of coal in Montana." Referred to Committee on Revenue and Taxation.

House Bill No. 23: Introduced by Liggett, Anderson of Cascade, Balgord, Dunn, McFatridge, Moss of Custer, Newell, O'Connor, Watson and Wilson: A bill for an act entitled: "An act to repeal Sections 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325 and 2326 of the Revised Codes of Montana of 1935, relating to coal retailers' licenses taxes." Referred to Committee on Revenue and Taxation.

House Joint Memorial No. 3: Introduced by Liggett: A memorial to the Congress of the United States of America requesting an investigation of the wrongful destruction, removal, and failure to replace the fair ground buildings of the County of Musselshell, and thereafter cause restitution of the same, said building having been wrongfully destroyed and removed by authority of the National Parks Service. Referred to Committee on Federal Relations.

House Joint Memorial No. 4: Introduced by Armstrong: A joint memorial to the Congress of the United States requesting the amendment by that body of the Social Security Act of Congress so as to provide for the payment by the federal government of one-half the money used in aid of dependent children. Referred to Committee on Federal Relations.

House Joint Memorial No. 5: Introduced by Long and Ekern: A joint memorial to the Congress of the United States, relating to a change of the national banking and monetary systems. Referred to Committee on Federal Relations.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

O'Connor in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 5, recommend that the same do pass.

O'CONNOR, Chairman.

Report adopted.

House recessed subject to the call of the Chair.

House resumed.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By McLeod, by Request: A bill for an act entitled: "An act relating to discriminations against a person or class in certain cases of employment, privileges, and admission prices, and fixing the penalty for violation thereof."

By McLeod, by Request: A bill for an act entitled: "An act relating to discriminations by utility companies, on account of race, color, or religion, in the employment of persons in the operation or maintenance of a public service and providing the penalty for violation thereof."

By McLeod, by Request: A bill for an act entitled: "An act relating to equal rights in places of public accommodation, resort or amusement and fixing the penalty for violation thereof."

By Longenecker: A bill for an act entitled: "An act to provide for a reduction of 2% from the second installment of real property taxes when second installment is paid before November 30 of the year in which such tax is levied."

By Williams: A bill for an act entitled: "An act to amend Section 5161, Revised Codes of Montana of 1935, providing for park commissioners—appointment and organization—records and reports."

By Byrne, by Request: A bill for an act entitled: "An act to amend Chapter twenty (20) of the laws of the Twenty-second Legislative Assembly of the State of Montana, requiring that any board, council, commission, trustee or body acting for the state or any county or municipality or any public body, who shall contract with any person or corporation to do any work for the state, county, municipality or other public body, to require a good and sufficient bond therefor, and providing the terms, conditions and provisions of said bond, and prescribing the liability of the state or any county or municipality or public body for failure to take such bond and repealing all acts or parts of acts in conflict herewith."

REPORTS OF STANDING COMMITTEES

To go into effect Monday the 16th.

Mr. Speaker: We, your Committee on Employment, having had under consideration applicants for the position beg leave to report:

Stenographers:

Beatrice Chappell
Janet Duren
Ann Mullen
Loretta Roche
Lelia Lingshire
Kay Kaney
Eleanor Jung

Jean La Mire
Ester Lahood
Martha Manley
Josephine Daly
Opal Heerwald
Georgette Betor
Catherine Catlin

LAMBERT, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

House Joint Resolution No. 1 was introduced by McLeod and referred to the Committee on Rules, Joint Rules and Order of Business.

INTRODUCTION OF BILLS

The following was introduced, read first and second time, and referred to committees:

House Bill No. 24: Introduced by Lambert and Hess: A bill for an act entitled: "An act to amend Section 5003, Revised Codes of Montana of 1935, relating to the election and term of office of officers of cities and towns operating under the mayor-council plan of municipal government, so as to make such terms of office four years instead of two years." Referred to Committee on State Boards and Offices.

It was moved by McLeod, duly seconded and carried, that the House adjourn until 12:00 o'clock noon, Monday, January 16th, 1939.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

FIFTEENTH DAY

House of Representatives,
Helena, Montana,
January 16, 1939.

House convened, pursuant to adjournment, at 12 o'clock noon.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following:

Dunn, Hageman, McGee, Petersen and Reed.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twelfth Legislative Day, find the same to be correct:

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 6, 7 and 16, beg leave to report that the same have this date been returned from the printer correctly printed.

M. J. BECK, Chairman.

Report adopted.

The Speaker appointed the following committees:

Education: Lambert, Hill, Chairman; Lippard, Chouteau, Vice-Chairman; Longenecker, Ravalli; Anderson, Cascade; McFatrige, Yellowstone; Goodwin, Silver Bow; O'Connor, Carbon; James, Liberty; Wilson, Carbon; Lehrkind, Gallatin; Long, Fallon; McGee, Jefferson; Morrison, Lewis and Clark; Moss, Flathead; Zuck, Roosevelt.

Equal Suffrage: Ryan, Silver Bow, Chairman; Petersen, Sheridan, Vice-Chairman; Hammond, Yellowstone; Spiegel, Silver Bow; Green, Dawson; Flynn, Missoula; Stewart, Rosebud; Melin, Park; Roehl, Fergus; Malee, Deer Lodge; Cole, Petroleum; Vanderbeck, Madison; Listug, Roosevelt; Parker, Wibaux; Anderson, Cascade.

Economy: McKenna, Judith Basin, Chairman; Martin, Fergus, Vice-Chairman; Lowe, Dawson; Beck, McCone; Aronson, Glacier; Kellogg, Pondera; DeDobbeleer, Valley; Baker, Fergus; Laubach, Teton; Williams, Yellowstone; Petersen, Sheridan; Beadle, Silver Bow; Melin, Park; McClain, Missoula; Sullivan, Silver Bow.

NOTICES

Authors gave notice that they would, on tomorrow or some subsequent day, introduce the following:

By Roy D. Collins: A bill for an act entitled: "An act preventing marriage between white persons and persons of certain other races and making such marriage void: And prescribing punishment for solemnizing such marriage."

By G. D. Stewart: A bill for an act entitled: "An act relating to the abolishment of special road districts and repealing Sections 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1674.1, and 1675 of the Revised Codes of Montana, 1935, and providing for the liquidation of outstanding obligations against said districts.

By Committee on Agriculture: A bill for an act entitled: "An act to declare the necessity of creating governmental subdivisions of the state, to be known as 'Soil Conservation Districts', to engage in conserving soil resources and preventing and controlling soil erosion; to establish the state soil conservation committee, and to define its powers and duties; to

provide for the creation of soil conservation districts; to define the powers and duties of soil conservation districts, and to provide for the exercise of such powers, including the power to acquire property by purchase, gift and otherwise; to empower such districts to adopt programs and regulations for the discontinuance of land-use practices contributing to soil-conserving land-use regulations, and to define their functions and powers; to provide for the discontinuance of such soil conservation districts; to provide for the financial assistance to such soil conservation districts; and to repeal Chapter 157 of the laws of the regular session of the Twenty-fifth Legislative Assembly."

By H. A. Lambert: A bill for an act entitled: "An act providing for the acquisition, purchase, construction, reconstruction, improvement, betterment extension, operation and maintenance of public service undertakings by any city or town, however organized; authorizing and regulating the issuance of revenue bonds for financing such undertakings; and providing for the payment of such bonds and the rights and recourse of holders thereof."

By H. A. Lambert: A bill for an act entitled: "An act creating a department of civil service for the State of Montana, prescribing the powers, duties, and procedure of the civil service commission and the director of the state civil service in said department; providing for and regulating the civil service in said state; prescribing penalties for the violation of the provisions of this act; repealing certain acts and parts of acts inconsistent with the provisions of this act; and making appropriation for the support of the said department."

By A. C. Berthot, R. J. Dunn, Carl Lehrkind: A bill for an act entitled: "An act to amend Section 5229, Revised Codes of Montana, 1935, relating to protests against special improvements in cities and towns, so as to empower the city or town council, commission or other governing body, to overrule all protests where the proposed improvement is for not more than one block of pavement and incidentals to connect with streets or avenues already paved for three blocks or more: providing that in case the improvement proposed is the construction of a sanitary sewer, no protest shall be effective unless made by owners of more than seventy-five per cent of the property affected, and providing for the withdrawal of protests."

By Byrne (Toole): A bill for an act entitled: "An act to amend Sections 4630.29 and 4630.30, Revised Codes of Montana, 1935, relating to county bonds, the redemption thereof before maturity, the investment of county bond sinking funds and the purchase of bonds with such funds."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration House Joint Resolution No. 1, respectfully report that said House Joint Resolution No. 1 do pass.

McLEOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill Number Five (5).

KIRSCHER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Employment, beg leave to report: The following be removed from the payroll: Olaf Berg, Janitor.

LAMBERT, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by McLeod, duly seconded and carried, that the Sergeant-at-Arms be authorized to order five hundred letterheads for each representative.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Bill No. 25: Introduced by Ekern and Sullivan: A bill for an act entitled: "An act to amend Section 1789, Revised Codes of Montana, 1935, relating to the employment and compensation of the employees of the State Highway Commission." Referred to Committee on Highways and Highway Transportation.

House Bill No. 26: Introduced by Goodwin and McGee: A bill for an act entitled: "An act to amend Sections 5118 and 5119, of the Revised Codes of Montana, 1935, relating to disability and pension funds of fire department relief associations and the tax levy for maintaining same." Referred to Committee on State Boards and Offices.

House Bill No. 27: Introduced by Williams of Yellowstone: A bill for an act entitled: "An act to amend Section 5161, Revised Codes of Montana of 1935, providing for park commissioners—appointment and organization—records and reports." Referred to Committee on Affairs of Cities."

House Bill No. 28: Introduced by Committee on Labor: A bill for an act entitled: "An act to provide for the general welfare and protect the health, efficiency, and well-being of workers in the State of Montana by providing for the elimination of wage and hour standards detrimental to the health, efficiency, and general well-being of workers; to prescribe the minimum wage and maximum hours standards and to provide for the further determination and establishment of minimum wages by industry; to provide for the enforcement of such provisions and to prescribe the powers and duties of the director of the labor department under this act; to prescribe penalties for violations of this act or of orders or regulations of the director of the labor department authorized hereunder and to repeal: Sections 3068, 3069, 3069.1, 3069.2, 3069.3, 3070, 3071, 3072, 3073, 3073.1, 3073.2, 3073.3, 3074, 3075, 3076, 3079, 3080, 3083.1, 3083.2, 3083.3, 3083.4, 3083.5 of the Revised Codes of Montana, 1935." Referred to Committee on Labor.

House Bill No. 29: Introduced by Balgord: A bill for an act entitled: "An act to amend Section 466 of the Revised Codes of Montana, 1935, relating to the bonds of county officers." Referred to Committee on State Boards and Offices.

House Bill No. 30: Introduced by Lippard and Lynch: A bill for an act entitled: "An act to Amend Section 134 of the Revised Codes of Montana, 1935, relating to the duties of the Secretary of State." Referred to Committee on State Boards and Offices.

House Bill No. 31: Introduced by Revenue and Taxation: A bill for an act entitled: "An act to amend Section 2317 and Section 2323, Revised Codes of Montana of 1935, relating to licensing persons engaged in the business of coal mining, fixing the fees therefor, and providing for enforcement thereof." Referred to Committee on Revenue and Taxation.

House Bill No. 32: Introduced by Revenue and Taxation: A bill for an act entitled: "An act to repeal Section 2090.2 and Section 2096.1 and Section 2096.2, Revised Codes of Montana of 1935, relating to the assess-

ment and taxation of royalty intrests and net proceeds of mines." Referred to Committee on Revenues and Taxation.

House Bill No. 33: Introduced by Revenue and Taxation: A bill for an act entitled: "An act to amend Sections 2138, 2139, 2141, 2142, 2143, 2144, and 2146, and to repeal Section 2140 of the Revised Codes of Montana, 1935, relating to assessment of telegraph, telephone, and electric power lines, and other properties continuing throughout more than one county in the State of Montana, by the State Board of Equalization." Referred to Committee on Revenue and Taxation.

House Bill No. 34: Introduced by Revenue and Taxation: A bill for an act entitled: "An act to amend Section 2238, Revised Codes of Montana, of 1935, relating to the duty of the Assessor to report certain personal property tax assessments." Referred to Committee on Revenue and Taxation.

House Bill No. 35: Introduced by Revenue and Taxation: A bill for an act entitled: "An act to repeal Sections 2435.1, 2435.2, 2435.3, and 2435.4 of the Revised Codes of Montana of 1935, relating to the imposition of a license tax upon dealers in cigarettes." Referred to Committee on Revenue and Taxation.

House Bill No. 36: Introduced by Revenue and Taxation: A bill for an act entitled: "An act to amend Section 1760 of the Revised Codes of Montana, 1935, as amended by Chapter 138 of the Laws of Montana, enacted by the Twenty-fifth Session, 1937, relating to registration of motor vehicles, fees, disposal of proceeds, fee for half year, dealers' registration and transfer thereof, and exempting public owned vehicles; and providing fees for tractors, defining same, and fees for trailers and semi-trailers." Referred to Committee on Revenue and Taxation.

House Bill No. 37: Introduced by Revenue and Taxation: A bill for an act entitled: "An act to amend Sections 2132, 2133 and 2136, and to repeal Sections 2135 and 2137 of the Revised Codes of Montana, 1935, relating to the assessment of railroads by the State Board of Equalization." Referred to Committee on Revenue and Taxation.

House Bill No. 38: Introduced by Revenue and Taxation: A bill for an act entitled: "An act to amend Section 2207 of the Revised Codes of Montana, 1935, as amended by Chapter 101, laws of 1937, relating to assignments of rights of counties acquired at sales of real property for delinquent taxes, and the form of certificate of assignment." Referred to Committee on Revenue and Taxation.

House Bill No. 39: Introduced by Revenue and Taxation: A bill for an act entitled: "An act amending Section 2210 of the Revised Codes of Montana, 1935, relating to redemption from tax sales." Referred to Committee on Revenue and Taxation.

House Bill No. 40: Introduced by Revenue and Taxation: A bill for an act entitled: "An act to amend Section 2182 of the Revised Codes of Montana, 1935, relating to publication of notice of delinquent tax sales." Referred to Committee on Revenue and Taxation.

House Bill No. 41: Introduced by Revenue and Taxation: A bill for an act entitled: "An act to amend Section 2295.26 of the Revised Codes of Montana, 1935, relating to the levy upon and sale of property for the payment of income tax and the lien of such tax upon such property and upon salaries." Referred to Committee on Revenue and Taxation.

House Bill No. 42: Introduced by Revenue and Taxation: A bill for an act entitled: "An act to amend Section 1996 of the Revised Codes of Montana, 1935, relating to the definition of terms employed in the code in dealing with the subject of taxation." Referred to Committee on Revenue and Taxation.

House Bill No. 43. Introduced by Revenue and Taxation: A bill for an act entitled: "An act to amend Section 2001.1 of the Revised Codes of Montana, 1935, relating to the determination of the percentage basis and taxable value of the various classes of property for taxation by the assessors of the State of Montana and to repeal Section 2001.4 of the Revised Codes of Montana, 1935, relating to the application of percentage basis and the duty of the county clerk and recorder with respect thereto." Referred to Committee on Revenue and Taxation.

House Bill No. 44: Introduced by Revenue and Taxation: A bill for an act entitled: "An act to amend Section 2295.7 of the Revised Codes of Montana, 1935, as amended by Chapter 28 of the laws of the Twenty-fifth Session of 1937, relating to income tax and defining gross income and what is included therein." Referred to Committee on Revenue and Taxation.

House Bill No. 45: Introduced by Revenue and Taxation: A bill for an act entitled: "An act to Amend Section 2122.9 of the Revised Codes of Montana, 1935, relating to appeals to the State Board of Equalization: Providing for hearings thereon and reference thereof and authorizing the employment of a reporter for such hearings." Referred to Committee on Revenue and Taxation.

House Bill No. 46: Introduced by Revenue and Taxation: A bill for an act entitled: "An act to amend Section 2000.4 of the Revised Codes of Montana, 1935, relating to deductions in ascertaining the value of shares of national bank for taxation." Referred to Committee on Revenue and Taxation."

House Bill No. 47: Introduced by Archie McLeod, (by Request): A bill for an act entitled: "An act relating to equal rights in places of public accommodation, resort or amusement and fixing the penalty for violation thereof." Referred to Committee on Equal Suffrage.

House Bill No. 48: Introduced by McLeod (by Request): A bill for an act entitled: "On act relating to discriminations against a person or class in cases of employment, privileges, and admission prices, and fixing the penalty for violation thereof." Referred to Committee on Equal Suffrage.

House Bill No. 49: Introduced by McLeod (by Request): A bill for an act entitled: "An act relating to discrimination by utility companies, on account of race, color, or religion, in the employment of persons in the operation or maintenance of a public service and providing the penalty for violation thereof." Referred to Committee on Equal Suffrage.

House Bill No. 50: Introduced by Lambert: A bill for an act entitled: "An act to amend Section 5106.16, Revised Codes of Montana, 1935, relating to a minnum wage to be paid members of the police department of cities of the first and second classes of the State of Montana, and those other cities and towns which have now elected or shall hereafter elect to come under the provisions of Sections 5108.1 to 5108.14, inclusive, Revised Codes of Montana of 1935." Referred to Committee on State Boards and Offices.

It was moved by McLeod, duly seconded and carried, that the House recess until 1:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment recommend: That all employees of the House of Representatives be laid off on certain speci-

fied days after due notice to conform with the appropriation allowed the House for attaches' pay, with the confirmation of the House.

H. A. LAMBERT, Chairman.

Report adopted.

THIRD READING

House Bill No. 5, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Acton, Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Ekern, Emswiler, Findlater, Flynn, Friedl, Gebhardt, Goodman, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, Kellogg, Kirscher, Labert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 90.

Noes: Stromnes. Total 1.

Absent and not voting: Cannon, Dunn, Freshman, James, Loughran, Metlen, Parker (Flathead), Rice, Smith. Total 9.

Passed their vote: Anderson (Phillips), Lippard. Total 2.

MOTIONS AND RESOLUTIONS

It was moved by McLeod, duly seconded and carried, that the Printing Committee be authorized to cut down the mailing list to conform with the number of bills printed.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Tuesday, January 17th, 1939, at 9:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

SIXTEENTH DAY

House of Representatives,
Helena, Montana,
January 17, 1939.

House convened, pursuant to adjournment, at 9:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call all members present except the following who were excused: Cannon, Horrigan, Loughran, Metlen, Smith and Sullivan.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifteenth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice that they would, on tomorrow or some subsequent day, introduce the following:

By Brown and McCarthy: A bill for an act entitled: "An act to amend Section 3071 of the Revised Codes of Montana of 1935, relating to hours of labor for underground miners."

By Liggett: A bill for an act entitled: "An act providing the method whereby public administrators may continue to administer estates not closed at the termination of their term of office by being appointed as general administrators of said estate not closed, or may voluntarily be relieved from further performance of the trust, and prescribing a method whereby a successor in office to a public administrator whose term has expired may compel his predecessor to surrender to him the unfinished estates and property belonging to same and allowing compensation for services partially performed."

By Padbury: A bill for an act entitled: "An act to amend Section 1805.99 of the Revised Codes of Montana of 1935, relating to the investments of the state land commissioners."

The Speaker appointed the following committees:

Horticulture: Melin, Park, Chairman; Armstrong, Flathead, Vice-Chairman; Cole, Prairie; Petersen, Sheridan; Parker, Wibaux; Anderson, Phillips; Sorte, Daniels; Clark, Wheatland; Zuck, Roosevelt; Gebhardt, Yellowstone; Kellogg, Pondera; Leuthold, Stillwater; Listug, Roosevelt; Watson, Missoula; Wilson, Carbon.

Fairs and Expositions: Ekern, Sanders, Chairman; Padbury, Lewis and Clark, Vice-Chairman; Friedl, Valley; Stewart, Rosebud; Brown, Silver Bow; Watson, Missoula; Anderson, Cascade; Collins, Richland; Hess, Hill; Longenecker, Ravalli; Berthot, Gallatin; Melin, Park; Newell, Carbon; Moss, Custer; Williams, Yellowstone.

New Counties and Divisions: Bower, Mineral, Chairman; Sullivan, Silver Bow, Vice-Chairman; Smith, Lewis and Clark; Acher, Blaine; Gebhardt, Yellowstone; Beck, McCone; Liggett, Musselshell; Dougherty, Powell; Brower, Lake; Siegling, Cascade; Collins, Richland; Tyler, Sheridan; Anderson, Cascade; McClain, Missoula; Long, Fallon.

Public Health and Sanitary Affairs: Goodwin, Silver Bow, Chairman; Lynch, Chouteau, Vice-Chairman; Padbury, Lewis and Clark; Flynn, Missoula; Hammond, Yellowstone; Ryan, Silver Bow; Laubach, Teton; Bjorneby, Flathead; Murray, Deer Lodge; Aronson, Glacier; Siegling, Cascade; Cole, Petroleum; DeDobbeleer, Valley; Daniel, Lincoln; Emswiler, Carter.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Joint Resolution No. 1, beg leave to report that the same has this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Employment recommend: That the following be removed from the payroll.

Merton Hall, Elevator Operator
Leo McClain, Mailing Clerk

Dorothy Brown, Typist
S. A. Hinerman, Doorkeeper

And that the following be hired:

Lula Nimmons, Proofreader.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 4 respectfully report as follows: That House Joint Memorial No. 4 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Corporations other than Municipal, having had under consideration House Bill No. 11 respectfully report as follows: That House Bill No. 11 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 14, respectfully report as follows: That House Bill No. 14 do not pass.

LEHRKIND, Chairman.

It was moved by Lehrkind, duly seconded, that the report be adopted. On substitute motion by Anderson of Phillips, duly seconded and carried, House Bill No. 14 was ordered printed and placed on General Orders.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 9 respectfully report as follows: That House Bill No. 9 do pass.

STROMNES, Chairman.

It was moved by Stromnes, duly seconded, that the report of the Committee be adopted. On substitute motion by Flynn, duly seconded and carried, House Bill No. 9 was referred to the Committee on Irrigation and Water Rights.

MESSAGES FROM THE SENATE

It was moved by McLeod, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Standing Committee Reports were this day read in the Senate:

"We, your Committee on Rules, having had under consideration the motion of Senator Mahoney to amend Joint Rule No. 23, recommend that said motion do not carry and as a substitute motion we move that said Joint Rule No. 23 be amended to read as follows:

"No. 23. TRANSMISSION OF BILLS—No bills transmitted by the House to the Senate nor by the Senate to the House after the forty-seventh day of the Session, and no amendments transmitted by the House to the Senate nor by the Senate to the House after the fifty-seventh day of the Session, shall be considered, with the exception of bills considered by joint conference committee. Bills from said committees may be transmitted at any time up to and including the sixtieth day."

And respectfully report and recommend that the rule, as amended, be adopted.

Signed:

CAMPBELL (Missoula),
Chairman.

We, your Committee on Rules, having had under consideration the Motion of Senator Mahoney to amend Sections 5 and 19 of Senate Rules No. 10, recommend that said motion do not carry and as a substitute mo-

tion we move that said Section 5 and 19 of Senate Rule No. 10 be amended to read as follows:

"5. INTRODUCTION AFTER THE THIRTY-EIGHTH DAY SUBSTITUTE BILLS—No bills other than substitute bills for bills then pending shall be introduced after the thirty-eighth legislative day, except upon a two-thirds majority vote of the Senate."

Amending Rule No. 10, Section 19 to read as follows:

"19. TRANSMITTAL AFTER THE FORTY-SEVENTH DAY—No bills transmitted by the House to the Senate after the forty-seventh day will be considered nor will the Senate transmit bills to the House after the forty-seventh day of the session, with the exception of bills considered by joint conference committees, and these bills having been referred to the conference committees on or before the forty-seventh day. Bills from said committees may be transmitted up to and including the sixtieth day. Joint Rule No. 19 shall be in full force when applicable as to Rule No. 10, Section 19."

And respectfully report and recommend that the rules, as amended, be adopted.

Signed:

CAMPBELL (Missoula),
Chairman.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Stevens, duly seconded and carried, that the Sergeant-at-Arms be authorized to pay the bill of \$120.00 for the installation of the loud speaker apparatus and rental for the entire session, to the Radio Service Engineers Company.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Wednesday, January 18th, 1939, at 2:00 o'clock P. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

SEVENTEENTH DAY

House of Representatives,
Helena, Montana,
January 18th, 1939.

House convened, pursuant to adjournment, at 2:00 o'clock P. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Antrim, Cole (Petroleum), D'Ewart, Loughran and Vanderbeck.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Sixteenth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills No. 14 and House Joint Memorial No. 4, beg leave to report

that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

NOTICES

The authors gave notice that they would, on tomorrow or some subsequent day introduced the following:

By Stewart and Gebhardt: A bill for an act entitled: "An act to amend Section 3202.1 of the Revised Codes of Montana, 1935, relating to the sale, supply, gift or possession of peyote, commonly known as the mescal button, or any compound derived in preparation thereof; and exempting Indian religious organizations from the provisions thereof; and repealing all acts and parts of acts in conflict therewith."

By Roehl: A bill for an act entitled: "An act to amend Section 3771 of the Revised Codes of Montana, 1935, relating to the description of the South Moccasin Mountain Game Preserve."

By Judiciary Committee by request: A bill for an act entitled: "A bill for an act to amend Section 107 of the Revised Codes of Montana of 1935 relating to the manner and method of signing petitions for referendum or initiative."

By James and others: A bill for an act entitled: "An act establishing a state supervised correspondence school, providing rules and regulations for carrying on the educational program thereof, providing for the appointment of a director thereof, and permitting the use of school funds to carry out the provisions of this act."

By Smith: A bill for an act entitled: "A bill for an act amending Chapter 84 of the Session Laws of the Twenty-fifth Legislative Assembly relating to the regulation, licensing and authorization of the sale of liquor at retail in the State of Montana."

By Smith: A bill for an act entitled: "A bill for an act amending Section 5766 of the Revised Codes of Montana of 1935 relating to the time a plaintiff must be a resident of the State of Montana before commencing an action for divorce."

By Brower: A bill for an act entitled: "An act to amend Section 4993 of the Revised Codes of Montana, 1935, relating to the platting, surveying and certifying before sale of small tracts."

By Moss of Custer: A bill for an act entitled: "An act to provide for the payment of delinquent personal property taxes, defining the procedure of the county treasurer where personal property is seized for the payment of such taxes and providing a time when such personal property tax can be paid without penalty or interest."

By Committee on Labor: House Joint Memorial entitled: "A resolution memorializing the congress of the United States; requesting the passage of deficiency appropriation legislation to continue work relief through federal agencies, and to provide increase in wage scales, and protesting abandonment of the work relief program by the federal government and turning the same back to the states."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment recommend that the following be dropped from the House payroll:

Josephine Daly—Stenographer.

Jack McEacheron—Clerk.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Employment recommend that an additional appropriation of \$44.50 be given to the Employment Committee to cover debt incurred by examinations given by the Helena Business College. (Stenographic, Typewriting, Proof Reading Tests for 189 applicants at 50c—\$94.50.)

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections having had under consideration House Bill No. 12; respectfully report as follows: That House Bill No. 12 be re-referred to the Judiciary Committee.

BJORNEBY, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Spiegel, duly seconded and carried, that House Bill No. 16 be taken from General Orders and re-referred to the Committee on Labor.

It was moved by McLeod, duly seconded, that the Employment Committee be instructed to rehire Leo McClain as Mailing Clerk, who had served in that capacity before.

A roll call vote was requested by the required number and it was also requested that the roll call be entered in the Journal. Motion lost by the following vote:

Ayes: Anderson (Cascade), Beadle, Beck, Bjorneby, Bower, Cannon, Daniel, DeDobbeleer, Ekern, Flynn, Hess, Malee, McCarthy, McGee, McKenna, McLeod, Melin, Moss (Custer), Murray, Ryan, Siegling, Spiegel, Stafford, Stevens, Stromnes, Sullivan, Wenger, Zuck. Total 28.

Noes: Acton, Anderson (Phillips), Armstrong, Baker, Balgord, Berthot, Brower, Byrne, Clark, Cole (Prairie), Dougherty, Duncan, Dunn, Emswiler, Friedl, Green, Hageman, Hammond, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Lowe, Lynch, Martin, McFatridge, Miles, Morrison, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Roehl, Scofield, Smith, Sorte, Stewart, Tyler, Watson, Williams, Wilson, Mr. Speaker. Total 54.

Absent and not voting: Antrim, Aronson, Brown, Cole (Petroleum), D'Ewart, Findlater, Freshman, Gebhardt, Goodwin, Horrigan, Lehrkind, Loughran, Metlen, Moss (Flathead), Vanderbeck, Woods. Total 16.

Passed: Acher, Collins, McClain and Petersen. Total 4.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Bill No. 55: Introduced by Brown and McCarthy: A bill for an act entitled: "An act to amend Section 3071 of the Revised Codes of Montana of 1935, relating to hours of labor for underground miners." Referred to Committee on Mines and Mining.

House Bill No. 56: Introduced by Liggett: A bill for an act entitled: "An act providing for the method whereby public administrators may continue to administer estates not closed at the termination of their term of office by being appointed as general administrators of said estates not closed, or may voluntarily be relieved from further performance of the trust, and prescribing a method whereby a successor in office to a public administrator whose term has expired may compel his predecessor to sur-

render to him the unfinished estates and property belonging to same and allowing compensation for services partially performed." Referred to Committee on Judiciary.

House Bill No. 57: Introduced by Lambert: A bill for an act entitled: "An act to fix the minimum wage to be paid members of the police departments of cities of the second class of the State of Montana, and of such other cities and towns which have now elected or shall hereafter elect to come under the provisions of Sections 5108.1 to 5108.14, inclusive, Revised Codes of Montana, 1935." Referred to Committee on Affairs of Cities.

House Bill No. 58: Introduced by Lambert and Hess: A bill for an act entitled: "An act providing for the acquisition, purchase, construction, reconstruction, improvement, betterment, extension, operation and maintenance of public service by any city or town, however organized; authorizing and regulating the issuance of revenue bonds for financing such undertakings; and providing for the payment of such bonds and the rights and recourse of holders thereof." Referred to Committee on Affairs of Cities.

House Bill No. 59: Introduced by Collins: A bill for an act entitled: "An act preventing marriage between white persons and persons of certain other races and making such marriage void; and prescribing punishment for solemnizing such marriage." Referred to Committee on Judiciary.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into Committee of the Whole for consideration of General Orders.

Padbury in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 6 be amended as follows: Amend Section 1 by striking all of said section and inserting in lieu thereof the following:

"Section 1. That on and after March 1, 1939, all money received from the taxes herein mentioned shall be deposited with the state treasurer, and of such money twenty-five per cent (25%) of the receipts from income tax shall be credited to the common school equalization fund and the remaining seventy-five per cent (75%) thereof, together with all money received from corporation license tax, telegraph license tax, natural gas distributor's license tax, store license tax, public contractor's license tax, cigarette dealer's license tax, telephone license tax, movie theatre license tax, liquor license tax, inheritance tax, and profits from state liquor control act, shall be credited to the general fund of the State of Montana, and paid out only in pursuance of specific appropriations made by law, as provided in Section 10, Article XII, of the constitution of the State of Montana."; and as amended do pass.

That House Bill No. 7 do pass.

That House Joint Resolution No. 1 do pass.

PADBURY, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by McLeod, duly seconded, that House Joint Resolution No. 1 be placed on Third Reading.

On substitute motion, it was moved by Smith, duly seconded, that further consideration on House Joint Resolution No. 1 be indefinitely postponed.

A roll call was requested by the required number to be entered into the Journal. Motion by Smith carried by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Armstrong, Aronson, Balgord, Berthot, Bower, Byrne, Dougherty, Duncan, Dunn, Emswiler, Friedl, Gebhardt, Green, Hageman, Hammond, Hoiness, Horrigan Kellogg, Lambert, Laubach, Leuthold, Liggett, Lippard, Listug, Longenecker, Lowe, Lynch, McFatridge, Metlen, Miles, Morrison, Moss (Flathead), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Roehl, Scofield, Smith, Stewart, Watson, Williams, Wilson, Woods. Total 51.

Noes: Anderson (Cascade), Baker, Beadle, Beck, Bjorneby, Brower, Brown, Cannon, Clark, Cole (Prairie), Collins, Daniel, DeDobbeleer, Ekern, Flynn, Freshman, Goodwin, Hess, James, Kirscher, Long, Malee, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin Moss (Custer), Murray, Petersen, Ryan, Siegling, Sorte, Spiegel, Stafford, Stevens, Stromnes, Sullivan, Tyler, Wenger, Zuck and Mr. Speaker. Total 44.

Absent and not voting: Antrim, Cole (Petroleum), D'Ewart, Findlater, Lehrkind, Loughran, Vanderbeck. Total 7.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Thursday, January 19th, 1939, at 10:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

EIGHTEENTH DAY

House of Representatives,
Helena, Montana,
January 19, 1939.

House convened, pursuant to adjournment at 10:00 A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call all members present except the following who were excused: Acher and Loughran.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Seventeenth Legislative Day, find the same to be correct.

HESS, chairman.

Report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Goodwin: A bill for an act entitled: "An act to amend Section 5108.5, Revised Codes of Montana, 1935, relating to payment of police reserves of the police officers of any city or town in the State of Montana and to provide for payment, from the fund created for the payment of salaries of police officers upon the reserve lists, to widows and dependent children of police officers of cities and towns, defining certain terms and repealing all acts and parts of acts in conflict with this act."

By Morrison, by request: A bill for an act entitled: "An act governing the operation of motor trucks carrying a load of ten (10) tons, or in excess thereof, providing for two (2) operators, defining terms, providing for braking systems for the use of trailers and semi-trailers in connection therewith, for the right of peace officers to weigh vehicles, for speed upon the highways, for penalties for violation of this act, for disposition of fines

and forfeitures, for the repeal of acts or parts of acts in conflict herewith, and providing that it is an emergency measure.”

By Smith: House Joint Resolution: “A resolution declaring an emergency to exist and providing for the employment and compensation of additional help for the House of Representatives of the Twenty-sixth Legislative Assembly of the State of Montana, and providing that the intent of Section 5653 of the Revised Codes of Montana relating to preference of veterans in public employment be put into effect in this body.

By McLeod: A bill for an act entitled: “An act to repeal Chapter 44 Laws of Montana, 1937, relating to the number, designation, election and appointment of officers and employees of the House of Representatives.”

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 11, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Bill No. 60: Introduced by Roehl: A bill for an act entitled: “An act to amend Section 3771 of the Revised Codes of Montana, 1935, relating to the description of the South Moccasin Mountain Game Preserve.” Referred to Fish and Game.

House Bill No. 61: Introduced by McGee: A bill for an act entitled: “An act to provide for a dairyman’s lien and to provide the means by which a dairyman may take advantage thereof.” Referred to Dairying.

House Bill No. 62: Introduced by Moss (Custer): A bill for an act entitled: “An act to provide for the payment of delinquent personal property taxes and defining the procedure of the county treasurer where personal property is seized for the payment of such taxes and providing a time when such personal tax can be paid without penalty or interest.” Referred to Revenue and Taxation.

House Bill No. 63: Introduced by Lambert: A bill for an act entitled: “An act creating a department of civil service for the State of Montana, prescribing the powers, duties, and procedure of the civil service commission and the director of the state civil service in said department: providing for and regulating the civil service in said state; prescribing penalties for the violation of the provisions of this act; repealing certain acts and parts of acts inconsistent with the provisions of this act; and making appropriation for the support of the said department.” Referred to State Boards and Offices.

House Bill No. 64. Introduced by Stewart and Gebhardt: A bill for an act entitled: “An act to amend Section 3202.1 of the Revised Codes of Montana, 1935, relating to the sale, supply, gift or possession of peyote, commonly known as the mescal button, or any compound derived in preparation thereof; and exempting Indian religious organizations from the provisions thereof; and repealing all acts and parts of acts in conflict therewith.” Referred to Public Morals, Charities and Reforms.

House Joint Memorial No. 6: Introduced by Committee on Labor: A resolution memorializing the congress of the United States; requesting the passage of deficiency appropriation legislation to continue work relief through federal agencies and to provide increase in wage scales, and pro-

testing abandonment of the work relief program by the federal government and turning the same back to the states. Referred to Federal Relations.

CONSIDERATION OF GENERAL ORDERS.

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for the consideration of General Orders.

Spiegel in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That consideration of House Bill No. 14 be passed for the day.

That House Joint Memorial No. 4 do pass.

SPIEGEL, Chairman.

Report adopted.

It was moved by Friedl that House Bill No. 26 be taken from the Committee on State Boards and Offices and referred to the Committee on Affairs of Cities. Motion duly seconded and carried.

It was moved by McLeod, duly seconded and carried, that the House recess until 1:30 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Lippard and Lynch: A bill for an act entitled: "An act relating to the duties of the Secretary of State and providing that the Secretary of State shall send to the county attorney of each county in the state and to the district judges of the state, a printed copy of every law as soon as possible after the Governor has approved said law, providing that the law shall become effective immediately upon its approval by the Governor."

By Sullivan and Martin: A bill for an act entitled: "An act to amend Section 6339 of the Revised Codes of Montana of 1935, relating to the payment of death and annuity benefits upon the lives of children: Providing for the organization and operation of a branch of the society for children; providing for the amount of benefits payable thereunder, and repealing all acts in conflict."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill correctly engrossed: House Bill No. Seven (7).

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration House Bill No. 9 respectfully report as follows: That House Bill No. 9 do pass.

ERICK ANDERSON, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Anderson of Phillips, duly seconded and carried, that House Bill No. 14 be re-referred to the Committee on Highways and Highway Transportation.

It was moved by Stafford, duly seconded and carried, that House Bill No. 6 be taken from the Engrossing Committee and re-referred to the Committee on Judiciary.

It was moved by Smith, duly seconded and carried, that his notice of intention to introduce a resolution relating to employment be withdrawn.

THIRD READING

House Bill No. 7, introduced by Committee on Appropriations, having been read at length three several times, title and history agreed to, was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 95.

Noes: Brower. Total 1.

Absent and not voting: Acher, D'Ewart, Loughran, McFatridge, Metlen, Stromnes. Total 6.

It was moved by McLeod, duly seconded and carried, that the House adjourn until 10:00 A. M. Friday morning, January 20, 1939.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

NINETEENTH DAY

House of Representatives,
Helena, Montana,
January 20, 1939.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call all members present except the following, who were excused: Acher, Clark, Loughran.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Eighteenth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice that they would, on tomorrow or some subsequent day, introduce the following:

By Rice: A bill for an act entitled: "An act relating to candidates for elective offices, repealing Chapter 116, Session Laws of the Twenty-fifth Legislative Assembly."

By Gebhardt: A bill for an act entitled: "An act to amend Section 12288 of the State of Montana, 1935, as amended by Chapter 117, Laws of Montana, 1937, relating to the appointment, salary and duties of probation officers, to juvenile delinquents and to court procedure."

By D'Ewart: A bill for an act entitled: "An act creating a department of water works in cities of the first and second class owning and operating a water works, providing for building extensions and additions to such water works, and for the operating, maintenance and management thereof, authorizing the issuance and sale of bonds payable from revenues of such water works, and permitting cities of the third class to create a department of water works under the provisions of this act."

By Bower: A bill for an act entitled: "An act regulating the business of installation of electrical wires and equipment and prescribing standards therefor, prescribing the powers and duties of the State Auditor, providing for a license to carry on the business of installing electrical wires and equipment, creating an electrical board of appeals and setting up the qualifications and duties of its members, authorizing the State Auditor to employ a state electrical inspector and such deputies and assistants as may be necessary to carry out the provisions of this act, creating an electrical license fund and appropriating the moneys therefrom, prescribing penalties for the violation of this act and repealing all acts and parts of acts in conflict herewith."

By Rice and Stafford: A bill for an act entitled: "An act disqualifying from nomination, by petition, convention or otherwise, persons who were unsuccessful candidates at a primary election."

By Bjorneby: A bill for an act entitled: "An act providing for the imposition of a franchise tax upon any person, association of persons or corporation using the surface waters of any navigable lake or stream in the State of Montana to the exclusion of the general public, providing for the collection of said tax, the disposal of the money received therefrom; the enforcement of this act; penalties for the violation thereof and repealing all acts and parts of acts in conflict herewith."

By Hoiness by Request: A bill for an act entitled: "An act to authorize the advancement of money on account of salary to officers whose salary is paid quarterly under the constitution of the State of Montana."

By Hoiness by Request: A bill for an act entitled: "An act relating to licensing of persons engaged in buying, selling, and storing beans, providing for issuance of license upon compliance with United States Warehouse Act; providing for grading of beans and amending Sections 3252.59, 2592.63 and 3592.64 of the Revised Codes of Montana, 1935."

By Judiciary Committee by Request: A bill for an act entitled: "An act providing that a copy of the judgment and the orders of the court suspending sentence be sent to the State Board of Prison Commissioners and the Bureau of Identification at the state prison or the institution to which the defendant would have been committed but for the suspension of sentence."

By Stafford and McCarthy: A bill for an act entitled: "An act to amend Section 2917 of the Revised Codes of Montana of 1935 of the workmen's compensation law relating to medical and hospital services and such other treatment as approved by the board."

By McLeod, McGee, Brown, McCarthy, Murray and Anderson: A House joint resolution entitled: "A resolution encouraging a more extensive use of copper."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 9, beg leave to report that the same has this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Joint Memorial Number Four (4).

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Employment recommend: That all employees be laid off Sunday, January 22, 1939, without pay.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, to which was referred House Joint Memorial No. 5, introduced by Long and Ekern, relating to a change of the national banking and monetary systems, return same to the House with the request that it be referred to the Committee on Banks and Banking.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, the majority of the Committee on Workmen's Compensation present at the meeting of January 19, 1939, report and recommend that House Bill No. 8 do not pass.

STEVENS
MILES
SMITH
FRESHMAN
ANDERSON (Phillips)

LONGENECKER
DUNN
ARMSTRONG
D'EWART

Mr. Speaker: We, the minority of the House Committee on Workmen's Compensation, having had under consideration House Bill No. 8, recommend that said bill do pass.

McCARTHY
BROWN
ANDERSON (Cascade)

McCLAIN
MURRAY
SORTE

It was moved by Anderson (Phillips) duly seconded, that the majority report be adopted.

On substitute motion, it was moved by McClain, duly seconded, that House Bill No. 8 be printed and placed on General Orders. The motion was carried.

Mr. Speaker: We, your Committee on Equal Suffrage, having had under consideration House Bill No. 47, respectfully report as follows: That House Bill No. 47 do not pass.

MAJORITY REPORT

RYAN, Chairman
MALEE
MELIN
COLE (Petroleum)

GREEN
ANDERSON
LISTUG

Mr. Speaker: We, your Committee on Equal Suffrage, having had under consideration House Bill No. 47, respectfully report as follows: That House Bill No. 47 be amended in Section II, line 33, by changing the words "one hundred" to the word "ten"; and so as amended, do pass.

MINORITY REPORT

PARKER (Wibaux)
PETERSEN
VANDERBECK

FLYNN
McLEOD

It was moved by Melin, duly seconded, that the majority report be adopted.

On substitute motion, it was moved by McLeod, duly seconded, that the minority report be adopted. The motion was carried.

Mr. Speaker: We, your majority Committee on Equal Suffrage, having had under consideration House Bill No. 48, respectfully report as follows: That House Bill No. 48 do not pass.

RYAN, Chairman
MALEE
MELIN
COLE (Petroleum)

GREEN
LISTUG
ANDERSON (Cascade)

Mr. Speaker: We, your minority Committee on Equal Suffrage, having had under consideration House Bill No. 48, respectfully report as follows: That House Bill No. 48 be amended in Section 1, subsection 3, line 28, by changing the words "one hundred" to the word "ten"; and as so amended, do pass.

McLEOD, Chairman
PETERSEN
VANDERBECK

FLYNN
PARKER (Wibaux)

It was moved by Ryan, duly seconded, that the majority report be adopted.

On substitute motion, it was moved by Petersen, duly seconded, that the minority report be adopted. The motion was carried.

Mr. Speaker: We, your majority Committee on Equal Suffrage, having had under consideration House Bill No. 49, respectfully report as follows: That House Bill No. 49 do not pass.

RYAN, Chairman
MALEE
MELIN
COLE (Petroleum)

GREEN
LISTUG
ANDERSON

Mr. Speaker: We, your minority Committee on Equal Suffrage, having had under consideration House Bill No. 49, respectfully report as follows: That House Bill No. 49 be amended in Section 2, line 16, by changing the words "one hundred" to the word "ten"; and as so amended, do pass.

PETERSEN
VANDERBECK
FLYNN

PARKER (Wibaux)
McLEOD

It was moved by Ryan, duly seconded, that the majority report be adopted.

On substitute motion, it was moved by Petersen, duly seconded that the minority report be adopted. The motion was carried.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees: All appropriation measures having been read at length.

House Bill No. 65: Introduced by Brower: A bill for an act entitled: "An act to amend Section 4993 of the Revised Codes of Montana, 1935, relating to the platting, surveying and certifying before sale of small tracts." Referred to Committee on Townships and Counties.

House Bill No. 66: Introduced by Sullivan and Martin: A bill for an act entitled: "An act to amend Section 6339 of the Revised Codes of Montana of 1935, relating to the payment of death and annuity benefits upon the lives of children; providing for the organization and operation of a branch of the society for children; providing for the amount of benefits payable thereunder, and repealing all acts in conflict herewith." Referred to Committee on Insurance.

House Bill No. 67: Introduced by Goodwin: A bill for an act entitled: "An act to amend Section 5108.5, Revised Codes of Montana, 1935, relating to payment of police reserves of the police officers of any city or town in the State of Montana and to provide for payment, from the fund created for the payment of salaries of police officers upon the reserve lists, to widows and dependent children of police officers of cities and towns, defining certain terms and repealing all acts and parts of acts in conflict with this act." Referred to Committee on Affairs of Cities.

House Bill No. 68: Introduced by Morrison by Request: A bill for an act entitled: "An act governing the operation of motor trucks carrying a load of ten (10) tons, or in excess thereof, providing for two (2) operators, defining terms, providing for braking systems for the use of trailers and semi-trailers in connection therewith, for the right of peace officers to weigh vehicles, for speed upon the highways, for penalties for violation of this act, for disposition of fines and forfeitures, for the repeal of acts or parts of acts in conflict herewith, and providing that it is an emergency measure." Referred to Committee on Highways and Highway Transportation.

House Bill No. 69: Introduced by McLeod: A bill for an act entitled: "An act to repeal Chapter 44, Laws of Montana, 1937, relating to the number, designation, election and appointment of officers and employees of the House of Representatives." Referred to Committee on Judiciary.

House Bill No. 70: Introduced by James, Beck, DeDobbeleer, McKenna, Melin, Martin, Laubach, Hess, Miles, Ekern, Rice, Lambert, Brown and Zuck: A bill for an act entitled: "An act establishing a state supervised correspondence school, providing rules and regulations for carrying on the educational program thereof, providing for the appointment of a director thereof, and permitting the use of school funds to carry out the provisions of this act." Referred to Committee on Education.

House Joint Memorial No. 7: Introduced by Hoiness, Gebhardt, Williams, McFatridge, Hammond, Stromnes, Kellogg, O'Connor, Wilson, Newell, Friedl, Watson: "A memorial to the Congress of the United States of America requesting it to assist the beet sugar industry of Montana." Referred to Committee on Federal Relations.

THIRD READING

House Joint Memorial No. 4, having been read three several times, history and title agreed to was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower,

Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newll, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 97.

Absent and not voting: Acher, Hoiness, Loughran, Metlen, Sorte.
Total 5.

MOTIONS AND RESOLUTIONS

Upon motion of Lambert, duly seconded, the Committee on Employment was granted unanimous consent of the House to introduce a House joint resolution without previous notice.

INTRODUCTION OF BILLS

The following was introduced, read first and second time, and referred to a committee:

House Joint Resolution No. 2: Introduced by Employment Committee: "A joint resolution declaring an emergency to exist and providing for the compensation and employment of additional help during the Twenty-sixth Legislative Assembly of the State of Montana pursuant to the authority granted by Section 77 of the Revised Codes of Montana, 1935." Referred to Committee on Judiciary.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

Byrne in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend: That House Bill No. 11 do pass.

BYRNE, Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would, on tomorrow or some subsequent day, introduce the following:

By Committee of Affairs of Cities: A bill for an act entitled: "An act to amend Section 4622.2 Revised Codes of Montana, 1935, relating to the investment of sinking funds of counties, cities and towns."

By Committee of Affairs of Cities: A bill for an act entitled: "An act to amend Section 5011 of the Revised Codes of Montana of 1935,

relating to the appointment of judges and clerks in municipal elections, so as to empower the city council or other governing body to appoint double election boards in certain cases."

By Committee of Affairs of Cities: A bill for an act entitled: "An act providing for the collection of city taxes by county treasurers on all motor vehicles and motor vehicles in stock for cities which provide by ordinance for the collection of their own taxes."

By Sorte: A bill for an act entitled: "An act accepting the amendment enacted by Congress to Section eleven of the act approved February 22, 1889 (25 Stat. 676) relating to the admission into the Union of the States of North Dakota, South Dakota, Montana, and Washington, approved by the President of the United States, June 25, 1938."

By Parker (Flathead): A bill for an act entitled: "An act to amend Section 10039 of the Revised Codes of Montana, 1935, relating to probating of foreign wills."

By Ryan and Sullivan: A bill for an act entitled: "An act to amend Chapter 70, Session Laws of the Twenty-fifth Session Laws of Montana, 1937, relating to an act to permit real property to be redeemed from tax sale by paying the original tax, provided such original taxes be paid on or before December first, 1939, and relating to the time of taking tax deed."

By Byrne, Friedl, Sorte and Listug: A bill for an act entitled: "An act providing for a monthly allowance to be paid to sheriffs of the several counties as rental for living quarters, wherein the same are not furnished by the county, and repealing all acts in conflict herewith."

By Committee of Affairs of Cities: A bill for an act entitled: "An act to amend Section 5070 of the Revised Codes of Montana of 1935, relating to awarding contracts by cities and towns operating under the mayor-council plan of municipal government so as to provide for advertising for bids for contracts and fixing the period for such advertisements."

By Murray, Malee, McGee: A bill for an act entitled: "An act to amend Section 9429 of the Revised Codes of Montana of 1935, relating to exemption of earnings of judgment debtors."

By Lehrkind: A bill for an act entitled: "An act to amend Section 2396.2, Revised Codes of Montana, 1935, as amended by Chapter 102, Laws Twenty-fifth Legislative Assembly of the State of Montana, 1937, by providing that no original highway construction into, through or across any passes in the main range of the Rocky Mountains within the State of Montana shall be commenced or undertaken in connection with the federal highway system or otherwise by the State Highway Commission, except after completion of the whole amount of uncompleted mileage of said federal highway system in the State of Montana in each highway district therein."

By Lehrkind: A bill for an act entitled: "An act to amend Section 2396.4 of the Revised Codes of Montana of 1935, as amended by Chapter 96 of the Session Laws of the Twenty-fifth Legislative Assembly, relating to refunding gasoline taxes paid and prescribing duties of the State Board of Equalization relating thereto and providing for the issuance of permits to gasoline tax refund claimants."

By Lehrkind, Vanderbeck, Emswiler, Gebhardt and Brower: A bill for an act entitled: "An act providing for and creating the Montana State Park Commission, and defining the qualifications and duties of the commission and its members, and providing for the acquisition and the care of areas, sites and objects of scenic, historic, archaeologic, scientific and recreational interest and value to the state, and for other purposes."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 3, respectfully report as follows: That House Joint Memorial No. 3 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 30, respectfully report as follows: That House Bill No. 30 do not pass.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 21, respectfully report as follows: That House Bill No. 21 do pass.

SPIEGEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 17, respectfully report as follows: That House Bill No. 17 do pass.

SPIEGEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Joint Resolution No. 2, respectfully report as follows: That House Joint Resolution No. 2 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 4, respectfully report as follows: That House Bill No. 4 be referred to the Committee on Constitutional Amendments, with favorable recommendation.

SPIEGEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Joint Memorial No. 1, respectfully report as follows: That House Joint Memorial No. 1 be referred to the Committee on Federal Relations.

BYRNE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 25, respectfully report as follows: That House Bill No. 25 be referred to the Committee on Labor without recommendation.

LEHRKIND, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Friedl, duly seconded and carried, that House Bill No. 50 be taken from the Committee on State Boards and Offices and referred to the Committee on Affairs of Cities.

It was moved by Byrne, duly seconded and carried that the motion authorizing an Investigating Committee of fifteen members, adopted on the Tenth Legislative Day be amended to read as follows:

"I move that the Speaker of the House be hereby authorized and directed to appoint a committee from this House not to exceed fifteen (15) in number, to act as a Committee of this House for the purpose of investigating, and that it do investigate all elective and appointive state officers, offices, boards, bureaus, departments and commissions, and that said committee be empowered by suitable process of this House to hold hearings, subpoena witnesses, and appoint sub-committees from its membership with like authority; that suitable quarters and all necessary aid be provided said committee for ascertaining the facts as to said officers, offices, boards, bureaus, departments and commissions; that all items of expense be returned by said committee with its report, and that the Sergeant-at-Arms of the House of Representatives pay, and he is hereby authorized and directed to pay any and all expenses necessarily incurred by said committee, upon the presentation to him of proper voucher signed by the chairman of said committee and the Speaker of the House; and that said committee report its findings back to this House not later than the Fiftieth Legislative Day."

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Joint Memorial No. 1 and Senate Bill No. 1 were this day read three several times and passed, title and history agreed to, and the same is herewith transmitted to the House for concurrence.

Respectfully,

GEORGE A. BURR,

Secretary of the Senate.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees:

Senate Bill No. 1: Introduced by Foor: A bill for an act entitled: "A bill for an act to amend Section 142 of the Revised Codes of the State of Montana, 1935, prescribing the method of the publication of the laws of the Legislative Assemblies of the State of Montana." Referred to Committee on Judiciary.

Senate Joint Memorial No. 1: Introduced by Alvord and Ruffcorn: "A resolution memorializing the Congress of the United States for the passage of legislation amending the United States Tariff Laws by raising tariff rates on United States flags and other national insignia sufficiently to protect their manufacture in the United States." Referred to Committee on Federal Relations.

House Bill No. 71: Introduced by Lippard and Lynch: A bill for an act entitled: "An act relating to the duties of the Secretary of State and providing that the Secretary of State shall send to the county attorney of each county in the state and to the district judges of the state, a printed copy of every law as soon as possible after the Governor has approved said law, providing that the law shall become effective immediately upon its approval by the Governor." Referred to Committee on State Boards and Offices.

House Bill No. 72: Introduced by Judiciary Committee: A bill for an act entitled: "An act to amend Section 107 of the Revised Codes of Montana of 1935, relating to who may petition for a referendum or initiative." Referred to Committee on Judiciary.

McLeod asked and was granted unanimous consent of the House to introduce without previous notice:

House Memorial No. 1: Introduced by McLeod, Moss (Custer), McGee and Melin: "A memorial to the Congress of the United States of America protesting the reduction of the \$875,000,000, asked by President Franklin D. Roosevelt for Works Progress Administration purposes, to \$725,000,000." Referred to Committee on Federal Relations.

It was moved by McLeod, duly seconded and carried, that the House adjourn until 10:00 o'clock A. M., Saturday, January 21, 1939.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

TWENTIETH DAY

House of Representatives,
Helena, Montana,
January 21, 1939.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members were present except the following, who were excused: Acher, Loughran.

Mr. Speaker: We, your committee on Journal, having examined the Journal for the Nineteenth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Williams: A bill for an act entitled: "An act to amend Chapter 152, Revised Codes of Montana, 1935, by adding thereto another section to be known as Section 1759.8 allowing a non-resident of Montana to operate a motor vehicle on the highways of this state when the same privilege is allowed to a resident of Montana under the laws of the state of such operator's residence."

By Judiciary Committee: A bill for an act entitled: "An act to amend Section 7136 of the Revised Codes of Montana, 1935, relating to the appointment of water commissioners."

By Committee on Labor: A bill for an act entitled: "An act regulating the operation of state owned trucks and automobiles, used by the Montana state prison, at Deer Lodge, Montana, as regards their use on federal highways, state highways, or county roads, in the State of Montana, and on the streets of Deer Lodge, Montana, amending Sections 12446, 12447, and 12449, or parts thereof, of the Revised Codes of Montana for 1935, which are, or would be inconsistent with this act."

By Beadle, Melin and Martin: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana, an amendment to Section 2, Article 12, of the constitution of the State of Montana, relating to the exemption of property from taxation and authorizing the legislature to exempt homes and homesteads actually used and occupied by the owner thereof in a sum not to exceed \$2,500.00 of the value thereof."

By Berthot, Dunn and Lehrkind: A bill for an act entitled: "An act to amend Section 5486, Revised Codes of Montana, 1935, relating to sewer, water, gas and other connections in cities and towns under commission-manager form of municipal government, so as to give such cities and towns ordering and making such connections power to divide the cost thereof into not to exceed eight annual payments, with interest on the deferred payments at not to exceed six percent per annum, payable annually."

By Brown, McGee and Hess: A bill for an act entitled: "An act to amend Chapter 82 of the laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, the public welfare act, by amending Section II of Part I, relating to appointment of state board and by providing for meetings of said state board, by amending Section III of Part I, relating to the powers and duties of the state board by providing the manner of selection of personnel of state and county departments by amending Section VI of Part I, relating to the powers and duties of the state administrator: by amending Section IX of Part I, relating to county departments, by providing for payment of compensation of county board and providing the duties of the public administrator by amending Section X of Part I, relating to the powers and duties of the county board: by amending Section IX of Part I, relating to the functions and activities of the county department: by amending Section XII of Part I, relating to the right of appeal; by amending Section XV of Part I, relating to fraudulent acts; by amending Section II of Part II, relating to eligibility requirements for general relief; by amending Section V of Part II, relating to relief in cash; by amending Section VI of Part II, relating to medical aid and hospitalization; by amending Section VIII of Part II, relating to certification for relief employment; by amending Section XIII of Part II, relating to grants-in-aid to county departments; by amending Section II of Part III relating to eligibility requirements for old age assistance; by amending Section III of Part III, relating to amount of assistance; by amending Section XII of Part III relating to change of residence; by amending Section III of Part IV, relating to eligibility for assistance in aid to dependent children; by amending Section VI of part IV, relating to granting of assistance and amount of assistance, and repealing all acts and parts of acts in conflict."

By Stafford: A bill for an act entitled: "An act to amend Section 975, Revised Codes of Montana, 1935, pertaining to clerks and deputies and county superintendents of schools and their salaries."

By Moss of Flathead and Goodwin: A bill for an act entitled: "An act to create a division of industrial hygiene within the state board of health of Montana, defining its powers and duties, requiring the reporting of occupational diseases and providing for the inspection of all places of employment where occupational diseases may occur."

By Stafford, Seigling, Stromnes, McLeod, Anderson and Stevens: A bill for an act entitled: "An act to authorize the construction of a building or buildings at Great Falls, Montana, for the deaf and dumb asylum, otherwise named by statute the Montana School for the Deaf and Blind, to authorize the procuring of funds for the construction of said building from the United States, and to authorize the transfer to the United States of title to the grounds upon which the said building is to be erected, and to authorize the state board of education to enter into a contract with the United States or with any properly constituted person or body representing the United States, for the financing and erection of said building or buildings, and for compensation to the United States for the use of said building or buildings through the payment of rental, or otherwise, as may be required by the laws of the United States, or regulations adopted thereunder, and generally to authorize the state board of education to enter into such contract or contracts with the United States as may be required by the United States for the procuring of the necessary money to pay for the construction of said building or buildings, and to enter into proper

and appropriate contracts with contractors, builders, and others, for the erection of such building or buildings, and to provide that such contract or contracts shall not be, and never shall become, a charge against the State of Montana, or create a liability, debt, or obligation of the State of Montana, in any amount in excess of one hundred thirty-seven thousand, five hundred dollars (\$137,500.00)."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, a majority of your Committee on Federal Relations, having had under consideration House Memorial No. 1, respectfully report as follows: That House Memorial No. 1 do pass.

McGEE
MARTIN
TYLER
LAMBERT
WENGER

MELIN
GOODWIN
BEADLE
STEVENS, Chairman.

Mr. Speaker: We, a minority of your Committee on Federal Relations, having had under consideration House Memorial No. 1, respectfully report as follows: That House Memorial No. 1 do not pass.

ACTON
HAMMOND
COLE

WILSON
D'EWART
LISTUG

It was moved by Stevens, duly seconded, that the majority report be adopted.

On substitute motion, it was moved by Hammond, duly seconded, that the minority report be adopted. After considerable discussion, the previous question was moved by Stafford, duly seconded and carried. A roll call was demanded by the required number, and the motion to adopt the minority report was lost by the following vote:

Ayes: Acton, Anderson (Phillips), Armstrong, Aronson, Baker, Balgord, Brower, Clark, Cole (Petroleum), Collins, D'Ewart, Duncan, Emswiler, Findlater, Gebhardt, Green, Hageman, Hammond, Hoiness, Horrigan, Kellogg, Laubach, Leuthold, Liggett, Listug, Longenecker, Lowe, McFatrige, Miles, Moss (Flathead), Newell, O'Connor, Padbury, Parker (Flathead), Potter, Roehl, Scofield, Smith, Stewart, Watson, Williams, Wilson and Woods. Total 43.

Noes: Anderson (Cascade), Antrim, Beadle, Beck, Berthot, Bjerneby, Bower, Brown, Byrne, Cannon, Cole (Prairie), Daniel, DeDobbeleer, Dougherty, Ekern, Flynn, Freshman, Friedl, Goodwin, Hess, James, Kirscher, Lambert, Lehrkind, Lippard, Long, Lynch, Malee, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Parker (Wibaux), Petersen, Reed, Rice, Ryan, Siegling, Sorte, Spiegel, Stafford, Stevens, Sullivan, Tyler, Vanderbeck, Wenger, Zuck and Mr. Speaker. Total 54.

Absent and not voting: Acher, Dunn, Loughran, Metlen and Stromnes. Total 5.

Whereupon the motion by Stevens that the majority report be adopted was carried.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 67, respectfully report as follows: That House Bill No. 67 do pass.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 27, respectfully report as follows: That House Bill No. 27 do pass.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 52, respectfully report as follows: That House Bill No. 52 do pass.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 24, respectfully report as follows: That House Bill No. 24 do pass.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 29, respectfully report as follows: That House Bill No. 29 do pass.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 1, respectfully report as follows: That Senate Joint Memorial No. 1 be concurred in.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 1, respectfully report as follows: That House Joint Memorial No. 1 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 7, respectfully report as follows: That House Joint Memorial No. 7 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 26, respectfully report as follows: That House Bill No. 26 be amended by inserting after the words "by each member" the following words "and part paid member" in Section 1, Line 21, in the original bill; and by inserting after the words "from and after" the following words "July 1, 1939," in Section 3, Line 24 of the original bill, and by striking the remainder of the line: That said bill as amended do pass.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 65, respectfully report as follows: That House Bill No. 65 do pass.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Dairying, having had under consideration House Bill No. 61, respectfully report as follows: That House Bill No. 61 be amended as follows: After the words "cream station" in Lines 11, 13, 16 and 18 of Section 1 insert the word "distributor" in each line respectively. And be referred to the Judiciary Committee as amended.

PETERSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 20, respectfully report as follows: That House Bill No. 20 do pass.

MALEE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 12, respectfully report as follows: That House Bill No. 12 do pass.

STROMNES, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by McLeod, duly seconded and carried, that House Memorial No. 1 be considered printed and placed on General Orders.

It was moved by Tyler, duly seconded and carried, that the Committee on Townships and Counties be given an extension of six days for the consideration of House Bill No. 54.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees:

House Bill No. 73: Introduced by Highway Committee: A bill for an act entitled: "An act to amend Section 2396.4 of the Revised Codes of Montana of 1935, as amended by Chapter 96 of the Session Laws of the Twenty-fifth Legislative Assembly, relating to refunding gasoline taxes paid and prescribing duties of the state board of equalization relating thereto and providing for the issuance of permits to gasoline tax refund claimants." Referred to Committee on Highways and Highway Transportation.

House Bill No. 74: Introduced by Rice: A bill for an act entitled: "An act relating to candidates for elective offices, repealing Chapter 116, Session Laws of the Twenty-fifth Legislative Assembly." Referred to Committee on Privileges and Elections.

House Bill No. 75: Introduced by Parker (Flathead): A bill for an act entitled: "An act to amend Section 10039 of the Revised Codes of Montana, 1935, relating to probating of foreign wills." Referred to Committee on Judiciary.

House Bill No. 76: Introduced by Committee on State Lands: A bill for an act entitled: "An act accepting the amendment enacted by congress to section eleven of the act approved February 22, 1889 (25 Stat. 676), relating to the admission into the Union of the states of North Dakota, South Dakota, Montana, and Washington, approved by the president of the United States, June 25, 1938. Referred to Committee on State Lands.

House Bill No. 77: Introduced by Highway Committee: A bill for an act entitled: "An act to amend Section 2396.2, Revised Codes, Montana, 1935, as amended by Chapter 102, laws Twenty-fifth Legislative Assembly of the State of Montana, 1937, by providing that no original highway con-

struction into, through or across any passes in the main range of the Rocky Mountains within the State of Montana shall be commenced or undertaken in connection with the federal highway system or otherwise by the State Highway Commission, except after completion of the whole amount of uncompleted mileage of said federal highway system in the State of Montana in each highway district therein." Referred to Committee on Highways and Highway Transportation.

House Bill No. 78: Introduced by Affairs of Cities Committee: A bill for an act entitled: "An act providing for the collection of city taxes by county treasurers on all motor vehicles and motor vehicles in stock for cities which provide by ordinance for the collection of their own taxes. Referred to Committee on Affairs of Cities.

House Bill No. 79: Introduced by Affairs of Cities Committee: A bill for an act entitled: "An act to amend Section 5070 of the Revised Codes of Montana of 1935 relating to awarding contracts by cities and towns operating under the mayor-council plan of municipal government so as to provide for advertising for bids for contracts and fixing the period for such advertisement." Referred to Committee on Affairs of Cities.

House Bill No. 80: Introduced by Lehrkind and others: A bill for an act entitled: "An act providing for and creating the Montana State Park Commission, and defining the qualifications and duties of the commission and its members, and providing for the acquisition and the care of areas, sites and objects of scenic, historic, archaeologic, scientific and recreational interest and value to the state; and for other purposes." Referred to Committee on Conservation of Resources.

House Bill No. 81: Introduced by Stafford and McCarthy: A bill for an act entitled: "An act to amend Section 2917 of the Revised Codes of Montana of 1935 of the Workmen's Compensation Law relating to medical and hospital services and such other treatment as approved by the board. Referred to Committee on Workmen's Compensation.

House Bill No. 82: Introduced by Judiciary Committee by request: A bill for an act entitled: "An act providing that a copy of the judgment and the orders of the court suspending sentence be sent to the state board of prison commissioners and the bureau of identification at the state prison or the institution to which the defendant would have been committed but for the suspension of sentence." Referred to Committee on Judiciary.

House Bill No. 83: Introduced by Bjerneby: A bill for an act entitled: "An act providing for the imposition of a franchise tax upon any person, association of persons or corporation using the surface waters of any navigable lake or stream in the State of Montana to the exclusion of the general public, providing for the collection of said tax, the disposal of the money received therefrom; the enforcement of this act; penalties for the violation thereof and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Bill No. 84: Introduced by Affairs of Cities Committee: A bill for an act entitled: "An act to amend Section 5011 of the Revised Codes of Montana of 1935, relating to the appointment of judges and clerks in municipal elections, so as to empower the city council or other governing body to appoint double election boards in certain cases." Referred to Committee on Affairs of Cities.

House Bill No. 85: Introduced by Affairs of Cities Committee: A bill for an act entitled: "An act to amend Section 4622.1, Revised Codes of Montana, 1935, relating to the investment of sinking funds of counties, cities and towns." Referred to Committee on Affairs of Cities.

House Bill No. 86: Introduced by D'Ewart: A bill for an act entitled: "An act creating a department of water works in cities of the first and second class owning and operating a water works, providing for building

extensions and additions to such water works, and for the operating, maintenance and management thereof, authorizing the issuance and sale of bonds payable from revenues of such water works, and providing for the handling and payment of accounts of such water works, and permitting cities of the third class to create a department of water works under the provisions of this act." Referred to the Committee on Affairs of Cities.

House Bill No. 87: Introduced by Gebhardt: A bill for an act entitled: "An act to amend Section 12288 of the Revised Codes of the State of Montana, 1935, as amended by Chapter 117, Laws of Montana, 1937, relating to the appointment, salary and duties of probation officers, to juvenile delinquents and to court procedure." Referred to Committee on State Boards and Offices.

House Bill No. 88: Introduced by Rice and Stafford: A bill for an act entitled: "An act disqualifying from nomination, by petition, convention or otherwise, persons who were unsuccessful candidates at a primary election." Referred to Committee on Privileges and Elections.

House Bill No. 89: Introduced by Hoiness by request: A bill for an act entitled: "An act to authorize the advancement of money on account of salary to officers whose salary is paid quarterly under the constitution of the State of Montana." Referred to Committee on State Boards and Offices.

House Bill No. 90: Introduced by Byrne, Friedl, Sorte and Listug: A bill for an act entitled: "An act providing for a monthly allowance to be paid to sheriffs of the several counties as rental for living quarters, wherein the same are not furnished by the county, and repealing all acts in conflict herewith." Referred to Committee on Townships and Counties.

House Joint Resolution No. 3: Introduced by McLeod and others: A resolution encouraging a more extensive use of copper. Referred to Committee on Development and Publicity.

CONSIDERATION OF GENERAL ORDERS.

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

DeDobbeleer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following recommend:

That House Bill No. 9 be amended as follows: By striking out everything from "1935" in line 1 down to and including "1925" in line 2, and as amended do pass.

That Senate Joint Memorial No. 1 be concurred in.

That House Memorial No. 1 do pass.

DeDOBBELEER, Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that House Memorial No. 1 be considered correctly engrossed and placed on Third Reading.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows: House Memorial No. 1 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl Gebhardt, Goodwin, Hageman, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Listug, Long, Malee, Martin, McCarthy, McClain, McFatridge, McKee, McKenna, McLeod, Melin, Metlen, Morrison, Moss (Flathead), Moss (Custer), Murray, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 82.

Noes: D'Ewart, Duncan, Green, Hammond, Leuthold, Longenecker, Lowe, Miles, Newell, O'Connor, Padbury, Scofield, Smith, and Watson. Total 14.

Absent and not voting: Acher, Ekern, Lippard, Loughran, Lynch and Stromnes. Total 6.

Senate Joint Memorial No. 1 was passed by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 95.

Noes: Acton and Baker. Total 2.

Absent and not voting: Acher, Byrne, Ekern, Loughran and Stromnes. Total 5.

It was moved by McLeod, duly seconded and carried, that the House adjourn until 11:00 A. M., Monday, January 23, 1939.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

TWENTY-SECOND DAY

House of Representatives,
Helena, Montana,
January 23, 1939.

House convened, pursuant to adjournment at 11:00 o'clock, A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call all members present except the following who were excused: Acher, Cannon, Hammond, Loughran, Malee, Newell and Stewart.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twentieth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 47 and 48 beg leave to report that the same have this date been returned from the Printer correctly printed.

Report adopted.

BECK, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill Number 9, House Bill Number 11.

Report adopted.

RICE, Chairman.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Baker: A Bill for an Act entitled: "An Act requiring the recording of instruments showing powers of trustees to deal with the title to real estate."

By Lynch and Lippard: A House Joint Memorial entitled: "A resolution memorializing the Congress of the United States to enact legislation to facilitate the transportation of products of Montana and adjacent states by construction of dams and other facilities to make navigable the Missouri river from its mouth to Fort Benton, Montana."

By D'Ewart: A Bill for an Act entitled: "An Act prohibiting the sale of liquor, wine and beer and/or intoxicating beverages at retail during certain hours fixing penalties for violation thereof and repealing all Acts and parts of Acts in conflict therewith."

By Acton and Smith: "A Joint Memorial to the Congress of the United States of America requesting Congress to create a work relief program designed to bring about a decrease in the number of persons on the relief roll and an increase in employment in private industry."

By Armstrong (Flathead): A Bill for an Act entitled: "An Act relating to the acquisition by the United States of lands and waters within the State of Montana for the purpose of creating, developing and maintaining refuges for the migratory waterfowl; providing for hearings before granting consent therefor; and reserving the rights, supervision, and control as mentioned herein."

By McFatridge: A Bill for an Act entitled: "An Act to amend sections 715, 716, 717, 718, 720, 721, 722, 723, 724, 725, 726, 727, 728, 730, 731, 733 and 734, Revised Codes of Montana, 1935, relating to a method of voting by electors who are absent or expect to be absent from the county in which they are electors, or who are physically incapacitated or likely to be physically incapacitated from attending the polls on the day of election and making regulations regarding such voting."

By Committee on Public Health and Sanitary Affairs: A Bill for an Act entitled: "An Act to prevent the manufacture, shipment and sale of adulterated or misbranded food, drugs, devices and cosmetics, and to regulate traffic therein; and to prevent the false advertisement of food, drugs, devices and cosmetics; prescribing the powers of the State Board of Health and of the secretary thereof in connection therewith and empowering said board and the secretary thereof to promulgate rules and regulations within the terms of this Act and prescribing penalties and for the Repeal of Sections 2436, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2586, 2587, 2588, 2589, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, Revised Codes of Montana, 1935, as amended or supplemented."

By Baker and Smith: A Bill for an Act entitled: "An Act providing for the recovery of damages for injuries to a person or persons, or death resulting from such injuries, and providing for the recovery of damages arising out of such injuries or death notwithstanding the fact that such person or persons may have been guilty of contributory negligence and providing that all questions of negligence and contributory negligence shall be questions of fact for the jury to determine."

By Anderson (Cascade): A Bill for an Act entitled: "An Act to amend Section 1263.8 of the Revised Codes of Montana, 1935, relating to the budget of district and county high schools, and providing the duties of the County Superintendent of Schools, when there are students attending high school outside of their county or when such students are placed in a state institution."

By Anderson (Cascade): A Bill for an Act entitled: "An Act to repeal Section 1262.80 and to amend Section 1262.82 of the Revised Codes of Montana, 1935, relating to the attendance of a student at a high school outside the county of his residence, and the duty of the County Commissioners to pay from the high school transfer fund to the board of trustees of the school district or county high school of the pupils attendance a sum of money equivalent to the per pupil allowance budgeted and providing the time that such payment shall be made."

By Morrison, Lowe and Leuthold: A Bill for an Act entitled: "An Act to amend Section 4885 of the Revised Codes of Montana, 1935, relating to the mileage and expense to be allowed sheriffs in delivering prisoners and the discharge of his duties, both civil and criminal."

By Morrison, Lowe and Leuthold: A Bill for an Act entitled: "An Act to amend Sections 4884 and 4884.1 of the Revised Codes of Montana, 1935, relating to mileage to be allowed to any state or county officer when necessarily used in the performance of his official duty, and the liability of the approving board for exceeding the authorized amount."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Affairs of Cities having had under consideration House Bill No. 84, respectfully report as follows: That House Bill No. 84 do pass.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities having had under consideration House Bill No. 85, respectfully report as follows: That House Bill No. 85 do pass.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities having had under consideration House Bill No. 78, respectfully report as follows: That House Bill No. 78 do pass.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities having had under consideration House Bill No. 79, respectfully report as follows: That House Bill No. 79 do pass.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 35, respectfully report as follows: That House Bill No. 35 do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 39, respectfully report as follows: That House Bill No. 39 do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 45, respectfully report as follows: That House Bill No. 45 do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 40, respectfully report as follows: That House Bill No. 40 do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 44, respectfully report as follows: That House Bill No. 44 do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 34, respectfully report as follows: That House Bill No. 34 do pass.

METLEN, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Watson, duly seconded and carried, that the use of the House Chambers be granted to the Committee on Labor at 7:00 o'clock P. M. tonight for the hearing on House Bill No. 28.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees:

House Bill No. 91: Introduced by Stafford, Seigling, Stromnes, McLeod, Anderson, Stevens: A Bill for an Act entitled: "An Act to authorize the construction of a building or buildings at Great Falls, Montana, for the deaf and dumb asylum, otherwise named by Statute the Montana School for the Deaf and Blind, to authorize the procuring of funds for the construction of said building from the United States, and to authorize the transfer to the United States of title to the grounds upon which the said building is to be erected, and to authorize the State Board of Education to enter into a contract with the United States or with any properly constituted person or body representing the United States, for the financing and erection of said building or buildings, and for compensation to the United States for the use of said buildings or building through the payment of rental, or otherwise, as may be required by the laws of the United States, or regulations adopted thereunder, and generally to authorize the State Board of Education to enter into such contract or contracts with the United States as may be required by the United States for the procuring of the necessary money to pay for the construction of said building or buildings, and to enter into proper and appropriate contracts with contractors, builders, and others, for the erection of such building or buildings, and to provide that such contract or contracts shall not be, and never shall become, a charge against the State of Montana, or

create a liability, debt, or obligation of the State of Montana, in any amount in excess of One Hundred Thirty-seven Thousand Five Hundred Dollars (\$137,500.00). Referred to the Committee on Appropriations.

House Bill No. 92: Introduced by Stafford: A Bill for an Act entitled: "An Act to amend Section 975, Revised Codes of Montana, 1935, pertaining to clerks and deputies and county superintendents of schools and their salaries." Referred to Committee on Education.

House Bill No. 93: Introduced by Judiciary Committee: A Bill for an Act entitled: "An Act to amend Section 7136 of the Revised Codes of Montana, 1935, relating to the appointment of water commissioners." Referred to Committee on Judiciary.

House Bill No. 94: Introduced by Committee on Labor: A Bill for an Act entitled: "An Act regulating the operation of state owned trucks and automobiles, used by the Montana State Prison, at Deer Lodge, Montana, as regards their use on federal highways, state highways, or county roads, in the State of Montana, and on the streets of Deer Lodge, Montana, amending Sections 12446, 12447 and 12449, or parts thereof, of the Revised Codes of Montana for 1935, which are, or would be inconsistent with this Act." Referred to Committee on Judiciary.

House Bill No. 95: Introduced by Bower: A Bill for an Act entitled: "An Act regulating the business of installation of electrical wires and equipment and prescribing standards therefor, prescribing the powers and duties of the State Auditor, providing for a license to carry on the business of installing electrical wires and equipment, creating an electrical Board of appeals and setting up the qualifications and duties of its members, authorizing the State Auditor to employ a state electrical inspector and such deputies and assistants as may be necessary to carry out the provisions of this Act, creating an electrical license fund and appropriating the moneys therefrom, prescribing penalties for the violation of this act and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on State Boards and Offices.

House Bill No. 96: Introduced by Smith: A Bill for an Act entitled: "An Act to amend Section 5766 of the Revised Codes of Montana of 1935, relating to the period of residence required to entitle plaintiff to divorce." Referred to Committee on Judiciary.

House Bill No. 97: Introduced by Moss (Flathead) and Goodwin: A Bill for an Act entitled: "An Act to create a division of industrial hygiene within the State Board of Health of Montana, defining its powers and duties, requiring the reporting of occupational diseases and providing for the inspection of all places of employment where occupational diseases may occur." Referred to Committee on Public Health and Sanitary Affairs.

House Bill No. 98: Introduced by Brown, McGee and Hess: A Bill for an Act entitled: "An Act to amend Chapter 82 of the Laws of the Twenty-fifth Legislative Assembly of the State of Montana, 1935, the Public Welfare Act, by amending Section II of Part I, relating to appointment of State Board and by providing for meetings of said State Board; by amending Section III of Part I, relating to the powers and duties of the State Board by providing the manner of selection of personnel of State and County departments; by amending Section VI of Part I, relating to the powers and duties of the State Administrator; by amending Section IX of Part I, relating to County departments, by providing for payment of compensation of County Board and providing the duties of the Public Administrator; by amending Section X of Part I, relating to the powers and duties of the County Board; by amending Section XI of Part I, relating to the functions and activities of the County Department; by amending Section XII of Part I, relating to the right of appeal; by amending Section XV of Part I, relating to fraudulent Acts; by amending Section II of Part II, relating to eligibility requirements for general relief; by amending Section V of Part II, relating to relief in cash; by amending Section

VI of Part II, relating to medical aid and hospitalization; by amending Section VIII of Part II, relating to certification for relief employment; by amending Section XIII of Part II, relating to grants-in-aid to County Departments; by amending Section II of Part III, relating to eligibility requirements for old age assistance; by amending Section III of Part III, relating to amount of assistance; by amending Section XII of Part III, relating to change of residence; by amending Section III of Part IV, relating to eligibility for assistance in aid to dependent children; by amending Section VI of Part IV, relating to granting of assistance and amount of assistance, and repealing all Acts and Parts of Acts in conflict." Referred to Committee on Social Security.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 9 was passed by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brown, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlin, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 91.

Noes: None.

Absent and not voting: Acher, Acton, Brower, Cannon, Hammond, Loughran, Malee, Newell, Stewart, Stromnes, Vanderbeck. Total 11.

House Bill No. 11 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brown, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Longenecker, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlin, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 91.

Noes: Long. Total 1.

Absent and not voting: Acher, Brower, Cannon, Ekern, Loughran, Malee, Newell, Stewart, Stromnes, Vanderbeck. Total 10.

It was moved by McLeod, duly seconded and carried, that the House recess until 1:00 o'clock P. M.

AFTERNOON SESSION

House resumed pursuant to adjournment. Mr. Speaker in the chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Anderson (Phillips) and Metlen: A Bill for an Act entitled: "An Act to amend Section 191.2 Revised Codes of Montana, 1935, as amended by Chapter 55, Laws of 1937, relating to the apportionment of funds received from the Federal Government under provision of the Taylor Grazing Act, and expenditure thereof."

By Hess, McKenna, DeDobbeleer, Melin, Daniel, Beck, Martin, Miles, McClain: A Bill for an Act entitled: "An Act providing for the recall of elective public officers in the State of Montana; relating to the cause for such recall; providing for the percentages necessary on the petition of recall; relating to the formation and filing of charges; relating to the ballot synopsis of charges, the form of petition, the certificate of precinct officers, the size of petition, the checking of petition, the names necessary, the contributions and expenditures, the canvassing of the petition; relating to the conduct of elections, publishing of results, declaring the office vacant, jurisdiction of the courts, to compel performance of Act; relating to illegal signatures and false signing; and relating to corrupt practices and professional recallers; and providing for the repeal of all Acts and Parts of Acts in conflict herewith."

MOTIONS AND RESOLUTIONS

It was moved by McLeod, duly seconded and carried, that all bills on Third Reading, with the exception of appropriation measures, be read by Title and Section number only.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Bill No. 99: Introduced by Murray, McGee, and Malee: A Bill for an Act entitled: "An Act to amend Section 9429 of the Revised Codes of Montana of 1935, relating to exemption of earnings of judgment debtors." Referred to Committee on Judiciary.

House Bill No. 100: Introduced by Beadle, Martin and Melin: A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana, an amendment to Section 2, Article 12, of the Constitution of the State of Montana, relating to the exemption of property from taxation and authorizing the legislature to exempt homes and homesteads actually used and occupied by the owner thereof in a sum not to exceed \$2,500.00 of the value thereof." Referred to Committee on Constitutional Amendments.

On motion, duly seconded and carried, the Highway Committee was given permission to use the House Chambers for a hearing to be held at 7:00 o'clock P. M., Wednesday evening, January 25th, 1939.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Tuesday afternoon, January 24th, 1939, at 2:00 o'clock P. M.

J. P. BRENNAN, Chief Clerk.

D. M. MANNING,
Speaker.

TWENTY-THIRD DAY

House of Representatives,
Helena, Montana,
January 24th, 1939.

House convened, pursuant to adjournment, at 2:00 o'clock P. M.
Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members were present except the following who were excused: Acher and Loughran.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-second Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 21, 17, 49, 52, 26, 27, 12, 8, 67, 65, 35, 20, 24, 29, 84, 85, 78, 79 and House Joint Memorials Nos. 1, 3 and 7 and House Joint Resolution No. 2, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Committee on Affairs of Cities: A Bill for an Act entitled: "An Act relating to the power of the town or city council to change the names or numbers of streets and avenues."

By Stromnes: A Bill for an Act entitled: "An Act relating to the examination of adverse parties in the trial of any civil action or proceeding."

By Stafford and Moss (Flathead); A Bill for an Act entitled: "An Act relating to the licensing of persons operating motor vehicles upon highways and make uniform the laws relating thereto for the purpose of securing a greater safety to the lives and persons of the public generally of the State of Montana and providing penalties for the violations of the provisions thereof."

By Rice, Byrne, Stewart, Armstrong and Spiegel: A Bill for an Act entitled: "An Act to amend Section 4536 Revised Codes of Montana, 1935, as amended by Chapter 163 Laws of 1937, relating to burial of deceased soldiers, sailors, marines, and army nurses, and providing when and in what cases the provisions thereof may be effective."

By Anderson (Cascade), Wilson, Newell and Liggett: A Bill for an Act entitled: "An Act to amend Section 2841, Revised Codes of Montana, 1935, so as to require both employer and employee engaged in coal mining to be bound without any right of exemption from the compensation provisions of the Workmen's Compensation Act and providing penalties for the violation thereof."

By Stevens: A Bill for an Act entitled: "An Act for the payment of old age pensions establishing a State Old Age Pension Commission; defining the qualifications of those entitled to receive old age pensions; providing for the administration of said Act, forms of applications; providing funds for the State Old Age Pension Commission and establishing a special fund known as the State Old Age Pension Fund; providing that aid from the United States government in furtherance of this Act be placed in said fund; providing to whom paid; providing for the residence of applicants, and change of residence; prohibiting assignment of grants; providing for the expenses incurred in carrying out the provisions of the Act; and repealing all Acts in conflict herewith."

By Stevens: A Bill for an Act entitled: "An Act to provide for the raising of revenue for the payment of old age pensions by imposing a tax upon the privilege of engaging in the business of retailing tangible personal property; by imposing a tax upon the privilege of engaging in busi-

ness involving admission tickets, charges, and fees to places of amusement and athletic events and imposing a tax upon transactions involving services of gas, electricity, water, communication and transportation; providing for the levy assessment, computation, and collection of such tax and its disposition; providing for certain refunds, exemptions and deductions; defining terms; prescribing duties and powers of the State Board of Equalization for the operation and enforcement of this Act; prescribing penalties for the violation of the provisions of this Act, and repealing all Acts and parts of Acts in conflict therewith."

By Lambert: A Bill for an Act entitled: "An Act providing for the registration of mechanical musical instruments as herein defined, reporting to the State Board of Equalization on the gross proceeds therefrom, and providing for the payment of an operating fee based on the gross revenue and the disposition of said fee and providing penalties for violations thereof."

By Lambert: A Bill for an Act entitled: "An Act to regulate the occupation of commercial musicians providing exceptions thereto, creating a state examining board for the licensing of persons to carry on such occupation, providing application and license fees and creating a fund therefore, and providing for the disposition thereof, to insure the protection of the public against misrepresentation, to provide rules regulating licenses and to provide penalties for violations thereof."

By Flynn: A Bill for an Act entitled: "An Act relating to the classification of irrigated lands and providing when the classification shall be made."

By Petersen, Tyler, Anderson (Phillips), Listug, Byrne and Cole (Prairie): A Bill for an Act entitled: "An Act to amend Sections 2 and 9 and to reenact Sections 1, 4, 5, 6, 7, 8, 10, 11, 12 and 13 of Chapter 73, Laws of 1937, relating to an emergency Act relating to the granting of relief from mortgage foreclosure and from execution sales of real estate: providing for extending the period of redemption from said mortgage foreclosures and execution sales, and designating the procedure to obtain such relief and the authority of courts in relation thereto; limiting the rights to maintain actions for deficiency judgments; extending the expiration of certain periods of redemption, and repealing all Acts and Parts of Acts in conflict herewith."

By Lippard and Williams: A Bill for an Act entitled: "An Act relating to school owned buses and buses privately owned and used for the transportation of school children; and providing the manner in which and the colors with which such school buses shall be painted; and providing that other buses not engaged in the transportation of school children shall not be painted in the same colors; and providing that buses shall be equipped with fire extinguishers; and providing a penalty for a violation of the provisions of this Act."

By Vanderbeck, Liggett and James: A Bill for an Act entitled: "An Act limiting the power of the Montana State Highway commission to add sections to or re-route present sections of the primary system of highways; providing when such adding or re-routing may be done, and repealing all Acts and Parts of Acts in conflict therewith."

The Committee on Enrolling report the following Memorial correctly enrolled: House Memorial No. 1.

ANTRIM, Chairman.

Report adopted.

The Speaker signed House Memorial No. 1 in open session.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 89, respectfully report as follows: That House Bill No. 89 do pass.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 41, respectfully report as follows: That House Bill No. 41 do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 37, respectfully report as follows: That House Bill No. 37 do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 33, respectfully report as follows: That House Bill No. 33 do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 2, respectfully report as follows: That, at the request of the author, said House Joint Memorial No. 2 be withdrawn as it is identical with a Senate Memorial on the same subject.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Mines and Mining, having had under consideration House Bill No. 3, respectfully report as follows: That House Bill No. 3 do not pass, but that Substitute House Bill No. 3, entitled:

"An Act providing for the greater security for the payment of salaries and wages by employers engaged in the business of extracting, or extracting and refining or reducing metals and minerals or mining for coal or drilling for oil, except such employers who have a free and unencumbered title to not less than one-half (1-2) interest in the fee of the property being worked, and providing for the filing of statements by persons, firms, partnerships or corporations, with the commissioner of labor, and providing a penalty for the violations of failure to file said statement."

MORRISON, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Spiegel, duly seconded and carried, that consideration of House Bill No. 17 on General Orders be passed for the day.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Bill No. 101, introduced by Committee on Public Health and Sanitary Affairs: A Bill for an Act entitled: "An Act to prevent the manufacture, shipment and sale of adulterated or misbranded food, drugs, devices and cosmetics, and to regulate traffic therein; and to prevent the false advertisement of food, drugs, devices and cosmetics; providing for the registration of certain foods, drugs, devices and cosmetics; prescribing the powers of the State Board of Health and of the secretary thereof in connection therewith and empowering said board and the secretary thereof to promulgate rules and regulations within the terms of this Act and prescribing penalties and for the repeal of Sections 2436, 2578, 2579, 2580,

2581, 2582, 2583, 2584, 2586, 2587, 2588, 2589, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, Revised Codes of Montana, 1935, as amended or supplemented." Referred to Committee on Public Health.

House Bill No. 102, introduced by Morrison, Lowe and Leuthold: A Bill for an Act entitled: "An Act to amend Section 4885 of the Revised Codes of Montana, 1935, relating to the mileage and expense to be allowed sheriffs in delivering prisoners and the discharge of his duties, both civil and criminal." Referred to Committee on State Boards and Offices.

House Bill No. 103, introduced by Morrison, Lowe and Leuthold: A Bill for an Act entitled: "An Act to amend Sections 4884 and 4884.1 of the Revised Codes of Montana, 1935, relating to mileage to be allowed to any state or county officer when necessarily used in the performance of his official duty, and the liability of the approving board for exceeding the authorized amount." Referred to Committee on State Boards and Offices.

House Bill No. 104, introduced by Hess, McKenna, DeDobbeleer, Melin, Daniel, Beck, Martin, Miles and McClain: "An Act providing for the recall of elective public officers in the State of Montana; relating to the cause of such recall; providing for the percentage necessary on the petition of recall; relating to the formation and filing of charges; relating to the ballot synopsis of charges, the form of petition, the certificate of precinct officers, the size of petition, the checking of petition, the names necessary, the contributions and expenditures, the canvassing of the petition; relating to the conduct of elections, publishing of results, declaring the office vacant, jurisdiction of the courts to compel performance of Act; relating to illegal signatures and false signing; and relating to corrupt practices and professional recallers; and providing for the repeal of all Acts and Parts of Acts in conflict herewith." Referred to Committee on Privileges and Elections.

House Bill No. 105, introduced by Anderson of Phillips and Metlen: A Bill for an Act entitled: "An Act to amend Section 191.2 Revised Codes of Montana, 1935, as amended by Chapter 55, Laws of 1937, relating to the apportionment of funds received from the Federal government under provision of the Taylor Grazing Act, and expenditure thereof." Referred to Committee on State Lands.

House Bill No. 106, introduced by Armstrong: A Bill for an Act entitled: "An Act relating to the acquisition by the United States of lands and waters within the State of Montana for the purpose of creating, developing and maintaining refuges for migratory waterfowl; providing for hearings before granting consent therefor; and reserving the rights, supervision, and control as mentioned herein." Referred to Committee on Fish and Game.

House Bill No. 107, introduced by Berthot, Dunn and Lehrkind: A Bill for an Act entitled: "An Act to amend Section 5486 Revised Codes of Montana, 1935, relating to sewer, water, gas and other connections in cities and towns under Commission-Manager form of municipal government, an dgiving such cities and towns ordering and makig such connections power to divide the cost thereof into not to exceed eight annual payments, with interest on the deferred payments at not to exceed six per cent per annum, payable annually." Referred to Committee on Affairs of Cities.

House Bill No. 108, introduced by Ryan and Sullivan: A Bill for an Act entitled: "An Act to amend Sections 1, 3 and 6, Chapter 70, Laws of Montana, 1937, and to re-enact Sections 2, 4 and 5 permitting real property to be redeemed from tax sale by paying the original tax, providing such original taxes be paid on or before December first, 1940, and relating to the time of taking tax deed." Referred to Committee on Revenue and Taxation.

House Bill No. 109, introduced by Baker: A Bill for an Act entitled: "An Act requiring the recording of instruments showing powers of

trustees to deal with the title to real estate." Referred to Committee on Judiciary.

House Bill No. 110, introduced by Baker and Smith: A Bill for an Act entitled: "An Act providing for the recovery of damages for injuries to a person, or death resulting from such injuries, and providing for the recovery of damages because of such injuries, or death, notwithstanding the fact that such person may have been guilty of contributory negligence, and providing that all questions of negligence and contributory negligence shall be questions of fact of the jury." Referred to Committee on Judiciary.

House Bill No. 111, introduced by D'Ewart: A Bill for an Act entitled: "An Act prohibiting the sale of liquor, wine and beer and/or intoxicating beverages at retail during certain hours, fixing penalties for violations thereof and repealing all Acts and parts of Acts in conflict therewith." Referred to Committee on Public Morals.

House Joint Memorial No. 8, introduced by Lynch and Lippard: "A Resolution memorializing the Congress of the United States to enact legislation to facilitate the transportation of products of Montana and adjacent states by construction of dams and other facilities to make navigable the Missouri river from its mouth to Fort Benton, Montana." Referred to Committee on Federal Relations.

Senate Bill No. 5, introduced by Mahoney: A Bill for an Act entitled: "An Act relating to the appointment of all assistants, deputies, agents, attorneys, administrators, engineers, experts, clerks, accountants, stenographers, and executive attaches of all appointed civil executive state offices, boards, commissions, bureaus, departments, or assistants of any kind not otherwise provided by law; providing for the approval of all such appointments by the State Board of Examiners; providing for the discontinuance of their office by said board; repealing Chapter 5 of the Laws of 1937, and all other Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 12, introduced by Angvick, Baker (Dawson), Chapman, Foor, Hammond, Kroman, Calder, Mahoney, Kathan, Robinson, Starks, Harlen, Robson, Ruffcorn, Waite, Lamp, Plank, Weinschrott, Nutt, Burke, Mann and Wood (Carter): A Bill for an Act entitled: "An Act to permit real property to be redeemed from tax sale by paying the original tax, provided such original taxes be paid on or before February 1, 1941." Referred to Committee on Revenue and Taxation.

Senate Bill No. 15, introduced by Simmons: A Bill for an Act entitled: "An Act to amend Section 9322 of the Revised Codes of Montana of 1935, relating to 'in what cases judgment by default may be entered', and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders and that all bills be read by title, history and section number only, unless otherwise requested, and that the proponent of a motion may speak for five minutes and all others three minutes.

Moss of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Joint Memorial No. 1 do pass.

That House Joint Memorial No. 3 do pass.

That House Joint Resolution No. 2 do pass.

That the enacting clause be stricken from House Bill No. 47.
 That the enacting clause be stricken from House Bill No. 48.
 That the enacting clause be stricken from House Bill No. 49.
 That House Bill No. 52 do pass.
 That House Bill No. 27 do pass.
 That House Bill No. 12 do pass.
 That House Bill No. 21 do pass.

That House Bill No. 26 be amended as follows: Amend Section 1, line 7 of the printed bill by inserting after the word "each" the word "paid"; and as amended do pass.

That the enacting clause be stricken from House Bill No. 8.

MOSS, (Flathead), chairman.

It was moved by Moss of Flathead, duly seconded, that the report of the Committee of the Whole be adopted. On substitute motion, it was moved by McLeod, duly seconded, that House Bills, No. 47, 48 and 49 be segregated from the report of the Committee of the Whole. A roll call, to be entered in the Journal, was demanded by the required number and the motion lost by the following vote:

Ayes: Baker, Bower, Brown, Daniel, Flynn, Gebhardt, Hammond, Hess, Hoiness, Leuthold, McClain, McFatridge, McLeod, Metlen, Miles, Padbury, Parker (Wibaux), Petersen, Smith, Spiegel, Stafford, Stevens, Stromnes, Vanderbeck, Williams and Zuck. Total 26.

Noes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjerneby, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Freshman, Friedl, Goodwin, Green, Hageman, Horrigan, James, Kellogg, Lambert, Laubach, Lehrkind, Lippard, Listug, Long, Longenecker, Lowe, Lynch, Malee, Martin, McCarthy, McGee, McKenna, Melin, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, Parker (Flathead), Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Stewart, Sullivan, Tyler, Watson, Wenger, Wilson, Woods and Mr. Speaker. Total 71.

Absent and not voting: Acher, Kirscher, Liggett, Loughran and O'Connor. Total 5.

It was moved by Spiegel, duly seconded, that House Bill No. 8 be segregated from the report of the Committee of the Whole. A roll call, to be entered in the Journal, was demanded by the required number.

A call of the House was demanded by the required number. On motion of McLeod, duly seconded and carried, further call of the House was dispensed with.

Thereupon motion by Spiegel lost by the following vote:

Ayes: Anderson (Cascade), Baker, Beadle, Beck, Bjerneby, Bower, Brower, Brown, Cannon, Daniel, DeDobbeleer, Ekern, Flynn, Friedl, Hess, James, Lambert, Laubach, Leuthold, Liggett, Lippard, Long, Malee, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Parker (Wibaux), Petersen, Rice, Ryan, Siegling, Sorte, Spiegel, Stafford, Stewart, Stromnes, Sullivan, Wenger and Zuck. Total 46.

Noes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Berthot, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, Kellogg, Kirscher, Lehrkind, Listug, Longenecker, Lowe, Lynch, McFatridge, Metlen, Miles, Moss (Flathead), Newell, Padbury, Parker (Flathead), Potter, Reed, Roehl, Scofield, Smith, Stevens, Tyler, Vanderbeck, Watson, Williams, Wilson, Woods, Findlater and Mr. Speaker. Total 53.

Absent and not voting: Acher, Loughran and O'Connor. Total 3.

The Speaker then put the motion to adopt the report of the Committee of the Whole, and the report was adopted

MESSAGES FROM THE SENATE

It was moved by McLeod, duly seconded and carried, that the messages from the Senate be considered read at length and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Joint Resolution No. 1, having been read three several times, and passed, is transmitted to the House for concurrence; House Bill No. 5, having been read three several times and concurred in is herewith transmitted to the House.

Respectfully,

GEORGE A. BURR,

Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Lippard, duly seconded and carried, that House Joint Resolution No. 2 be considered properly engrossed and placed on Third Reading.

THIRD READING

House Joint Resolution No. 2 having been read three several times, history and title agreed to, passed by the following vote:

Ayes: Acton, Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole, (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 94.

Absent and not voting: Acher, Anderson (Phillips), Berthot, D'Ewart, Goodwin, Horrigan, Lehrkind, and Loughran. Total 8.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Wednesday, January 25th, 1939, at 11:30 o'clock A. M.

D. M. MANNING,

Speaker.

J. P. BRENNAN, Chief Clerk.

TWENTY-FOURTH DAY

House of Representatives,
Helena, Montana,
January 25, 1939.

House convened, pursuant to adjournment, at 11:30 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members were present except the following who were excused: Acher and Loughran.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-third Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 34, 39, 40, 44 and 45 beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill Number Twenty-one (21); House Bill Number Twenty-six (26).

RICE, Chairman.

Report adopted.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Smith: A Bill for an Act entitled: "An Act to amend Section 2222 of the Revised Codes of Montana of 1935, providing for the refund of taxes, penalties and costs paid more than once, or erroneously or illegally collected."

By Smith and Padbury: A Bill for an Act entitled: "An Act to abolish the Montana State Fair: Authorizing the transfer of State Fair property to the County of Lewis and Clark; reserving certain property to the State Highway Commission and permitting use of certain grounds by the State Fish and Game Commission for the purpose of maintaining a game farm, and repealing Sections 1580 to 1582 inclusive, and Sections 3640 to 3644 inclusive, Revised Codes of Montana, 1935, and all other Acts and parts of Acts in conflict herewith."

By Murray: A House Joint Memorial entitled: "A Memorial to the Congress of the United States requesting the enactment of legislation to bring about control of basic metals, to create a Control Board and suggesting the powers and duties of said board."

By Wenger: A Bill for an Act entitled: "An Act confirming the powers heretofore conferred upon the State Board of Examiners relating to the Montana State Tuberculosis sanitarium and authorizing their execution; providing for the construction of additions and improvements to the Montana State Tuberculosis sanitarium; authorizing the present issuance of revenue bonds in the principal amount of Fifty-one Thousand Dollars (\$51,000.00) for the payment thereof, constituting the remaining revenue bonds authorized by Chapter 22, Laws of Montana Extraordinary Session 1933-34; directing that said revenue bonds be issued in accordance with Chapter 22, Laws of Montana Extraordinary Session 1933-34, prescribing details in connection therewith and declaring an emergency."

By Morrison: A Bill for an Act entitled: "An Act to amend Section 1760 of the Revised Codes of Montana, 1935, as amended by Chapter 138 of the Laws of Montana, 1937, relating to the registration of motor vehicles, fees, disposal of proceeds, fee for half year, dealers' registration and transfer thereof, and exempting public owned vehicles; and providing fees for tractors, defining same, and fees for trailers and semi-trailers, so as to provide that fifty (50) per cent of the net fees derived from the registration of motor vehicles, the owners of which reside within the boundaries of any incorporated city or town of the State of Montana, shall be paid over by the County Treasurer to the Treasurer, or other authorized fiscal officer, of such incorporated city or town for the use of

the street fund of such city or town and to be controlled and disbursed by such city or town as a part of its street fund."

The Speaker signed Senate Joint Memorial No. 1 in open session.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Privileges and Elections having had under consideration House Bill No. 88 respectfully report as follows: That House Bill No. 88 do pass.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands having had under consideration House Bill No. 76, respectfully report as follows: That House Bill No. 76 do pass.

SORTE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands having had under consideration House Bill No. 105, respectfully report as follows: That House Bill No. 105 do pass.

SORTE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 70, respectfully report as follows: That House Bill No. 70 do pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 92, respectfully report as follows: That House Bill No. 92 do pass.

LAMBERT, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees:

House Bill No. 112: Introduced by Vanderbeck, James and Liggett: A Bill for an Act entitled: "An Act limiting the power of the Montana State Highway Commission to add sections to or re-route present sections of the primary system of highways; providing when such adding or re-routing may be done, and repealing all acts and parts of Acts in conflict therewith." Referred to Committee on Highways.

House Bill No. 113: Introduced by Lippard and Williams: A Bill for an Act entitled: "An Act relating to school owned buses and buses privately owned and used for the transportation of school children; and providing the manner in which and the colors with which such school buses shall be painted; and providing that other buses not engaged in the transportation of school children shall not be painted in the same colors; and providing that buses shall be equipped with fire extinguishers; and providing a penalty for a violation of the provisions of this Act." Referred to Committee on Highways.

House Bill No. 114: Introduced by Rice, Byrne, Stewart, Armstrong and Spiegel: A Bill for an Act entitled: "An Act to amend Section 4536 Revised Codes of Montana, 1935, as amended by Chapter 163 Laws of 1937 relating to burial of deceased soldiers, sailors, marines, and army

nurses, and providing when and in what cases the provisions thereof may be effective." Referred to Committee on Military Affairs.

House Bill No. 115: Introduced by Petersen, Tyler, Anderson (Phillips), Listug, Byrne, Cole (Prairie): A Bill for an Act entitled: "An Act to amend Sections 2 and 9 and to re-enact Sections 1, 4, 5, 6, 7, 8, 10, 11, 12 and 13 of Chapter 73, Laws of 1937, relating to an emergency Act relating to the granting of relief from mortgage foreclosure and from execution sales of real estate; providing for extending the period of redemption from said mortgage foreclosures and execution sales, and designating the procedure to obtain such relief and the authority of courts in relation thereto; limiting the rights to maintain actions for deficiency judgments; extending the expiration of certain periods of redemption, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 116: Introduced by Stromnes: A Bill for an Act entitled: "An Act relating to the examination of adverse parties in the trial of any civil action or proceeding." Referred to Committee on Judiciary.

House Bill No. 117: Introduced by Flynn: A Bill for an Act entitled: "An Act relating to the classification of irrigated lands and providing when the classification shall be made." Referred to Committee on Irrigation and Water Rights.

House Bill No. 118: Introduced by Affairs and Cities: A Bill for an Act entitled: "An Act relating to the power of the town or city council to change the names or numbers of streets and avenues." Referred to Committee on Affairs of Cities.

House Bill No. 119: Introduced by Anderson (Cascade), Wilson, Newell and Liggett: A Bill for an Act entitled: "An Act to amend Section 2841, Revised Codes of Montana, 1935, so as to require both employer and employee engaged in coal mining to be bound without any right of exemption from the compensation provisions of the Workmen's Compensation Act and providing penalties for the violation thereof." Referred to Committee on Workmans Compensation.

A Senate Joint Resolution No. 1: Introduced by Martinson and Lott: "A resolution requesting the Governor of the State of Montana to fill the next vacancy on the State Highway Commission with a man who will represent the rural areas of the State." Referred to Committee on State Boards and Offices.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 21: Was passed by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Ekern, Flynn, Freshman, Friedl, Gebhardt, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Morrison, Moss (Flathead), Moss (Custer), Murray, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Ryan, Siegling, Smith, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Woods, Zuck, Mr. Speaker. Total 80.

Noes: Acton, Baker, Clark, Cole (Petroleum), Duncan, Emswiler, Findlater, Goodwin, Green, Hageman, Longenecker, Miles, Newell, O'Connor, Padbury, Roehl, Scofield, Williams, Wilson. Total 19.

Absent and not voting: Acher, Loughran, Sorte. Total 3.

House Bill No. 26: Was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Firedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Lowe, Malee, Martin, McClain, McFatrledge, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 95.

Noes: Duncan, Lippard, Lynch. Total 3.

Absent and not voting: Acher, Loughran, McCarthy, Sorte. Total 4.

MOTIONS AND RESOLUTIONS

It was moved by Smith, duly seconded and carried, that action on House Bill No. 17 be passed for the day.

It was moved by Emswiler, duly seconded, that hereafter all committee meetings, except emergency meetings, shall be announced from the rostrum by the clerk and before recess or adjournment posted on the bulletin board and that any committee meeting not so announced shall not be considered a call for that committee.

On substitute motion, it was moved by Hoiness, duly seconded and carried, that the principal committee chairmen work out a schedule for regular meetings at stated times, in order to avoid congestion.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

Stromnes in the Chair. Committee arose with leave to sit again.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following recommend:

That House Bill No. 67 do pass.

That House Bill No. 65 do pass.

That House Bill No. 35 do pass.

STROMNES, Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By DeDobbeleer, Hess, Lynch, Hammond, Anderson (Cascade), Beck, Long, Anderson (Phillips), Morrison and Flynn: A Bill for an Act en-

titled: "An Act to authorize County Hospitals to accept patients able to pay for the services rendered; authorizing the Board of County Commissioners to establish standard rates therefor and repealing all Acts and parts of Acts in conflict therewith."

By Committee on Education: A Bill for an Act entitled: "An Act to amend Section 1015 of the Revised Codes of Montana of 1935, relating to the employment of teachers and other persons and providing for the payment of face-value of the contracts."

By Committee on Affairs of Cities: A Bill for an Act entitled: "An Act relating to the power of any city, town, school district or board to operate a program of public recreation and playgrounds, to acquire, equip and maintain land, buildings and/or other recreational facilities, to expend funds therefor, and providing for supervision by the State Board of Education in certain cases and repealing all Acts and parts of Acts in conflict therewith."

By Judiciary Committee: A Bill for an Act entitled: "An Act to amend Chapter 63 of the Code of Civil Procedure of the Revised Codes of Montana of 1935, relating to actions to quiet title to real estate, by adding thereto a section to be numbered 9488.1, providing for the maintenance and prosecution of such actions as against unknown claimants or possible claimants, where there are no known claimants or possible claimants to any of the property involved in such action."

By Bjorneby: A Bill for an Act entitled: "An Act to promote the public safety and welfare by prohibiting the operation of motor vehicles upon the highways of the state while intoxicated or under the influence of intoxicating liquor; amending Section 1746.2 of the Revised Codes of Montana, 1935, relating to the penalty for the operation of a motor vehicle while intoxicated or under the influence of intoxicating liquor; amending Section 1746.3 of the Revised Codes of Montana, 1935, relating to additional penalties for such offense; defining the term 'intoxicated or under the influence of intoxicating liquor'; providing tests for the determination of whether a driver is intoxicated as herein defined and prescribing the duties of the arresting officer."

By Watson: A Bill for an Act entitled: "An Act to provide for the creation of the Montana State Board of Forestry, and to define its powers and duties; providing for the conservation and protection of all forest lands and resources of the State of Montana; providing that owners of forest lands shall provide protection therefor or pay the actual cost of such protection provided by said board; providing procedure for the assessment and collection of the cost of forest protection; providing for the abatement of public nuisances existing on forest lands; providing police and safety measures for the prevention of and protection against fire on forest lands; providing for cooperation with federal, public and private agencies in forest conservation and protection; and providing for the repeal of Sections 1838, 1841, 1842, 2763, 2764, 2767, 2768, 2770, 2775, 2776, 2777, 2778, 2778.1, 2778.2, 2778.3, 2778.4, 6600 and 6601, of the Revised Codes of Montana of 1935, and of all Acts and parts of Acts in conflict with this Act."*

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 56, respectfully report as follows: That House Bill No. 56 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 93, respectfully report as follows: That House Bill No. 93, be recommended out for passage.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, a majority of your Committee on Judiciary having had under consideration House Bill No. 59, respectfully report as follows: That House Bill No. 59 do not pass.

ANDERSON (Phillips),
BROWN,
SMITH,
STAFFORD,
DUNN,
BAKER,
SULLIVAN.

Mr. Speaker: We, a minority of your Committee on Judiciary, having had under consideration House Bill No. 59, respectfully report as follows: That House Bill No. 59 do pass.

HOINESS,
RICE.

It was moved by Stromnes, duly seconded, that the majority report of the Committee be adopted. On substitute motion, it was moved by Rice, duly seconded and carried, that the minority report be adopted.

MOTIONS AND RESOLUTIONS

It was moved by McClain, duly seconded and carried, that House Bill No. 85 be taken from General Orders and re-referred to the Committee on Affairs of Cities.

It was moved by Smith, duly seconded and carried, that House Bill No. 56 be re-referred back to the Judiciary Committee, due to error in reporting House Bill No. 56 out.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to Committees:

House Joint Memorial No. 9: Introduced by Acton and Smith by request: "A Joint Memorial to the Congress of the United States of America requesting Congress to create a work relief program designed to bring about a decrease in the number of persons on the relief roll and an increase in employment in private industry." Referred to Committee on Federal Relations.

Senate Bill No. 3: Introduced by Simmons: A Bill for an Act entitled: "An Act to amend Section 4728 of the Revised Codes of Montana of 1935, relating to county and other officers, when elected and term of office, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

Senate Joint Memorial No. 4: Introduced by Baker of Dawson, Calder, Kroman: "A Memorial to continue the development of the Buffalo Rapids Project for the purpose of irrigation lands, with water diverted from the Yellowstone River in the counties of Dawson, Prairie and Custer, and further providing the stabilization of farming and stock growing industry." Referred to Committee on Water Conservation and Flood Control.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Stromnes in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 20 be amended as follows: Amend Section 1 by striking out in line 8 of the printed bill the words "Section 3697. and 3697.1 of these codes" and inserting in lieu thereof the words "this Act," and as amended do pass.

That House Bill No. 24 be re-referred to the Committee on Affairs of Cities; that House Bill No. 29 do pass; that House Bill No. 84 do pass; that House Bill No. 78 do pass; that House Bill No. 79 do pass; that House Joint Memorial No. 7 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report House Bill No. 5 correctly enrolled.

ANTRIM, Chairman.

Report adopted.

Mr. Speaker: I have examined House Bill No. 5, originated by me and find the same to be correct.

BJORNEBY, Chairman.

Report adopted.

The Speaker signed House Bill No. 5 in open session.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Thursday, January 26th, 1939, at 10:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

TWENTY-FIFTH DAY

House of Representatives,
Helena, Montana,
January 26, 1939.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Acher, Loughran and Tyler.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-fourth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 37, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: Nos. 35, 52, 65, 67, 12, 27 and House Joint Memorial Nos. 1 and 3.

RICE, Chairman.

Report adopted.

NOTICES

Authors gave notice, that they would on tomorrow or some subsequent day, introduce the following:

By Spiegel, Murray, Ryan and Cannon: A Bill for an Act entitled: "An Act creating the Montana Labor Relations Board; prescribing the powers and duties of the Montana Labor Relations Board; securing to labor the right to bargain collectively; prescribing certain rights and duties of employees; prohibiting unfair labor practices on the part of employers; providing for the investigation, hearing, and disposition of labor disputes and unfair labor practices by the Montana Labor Relations Board; authorizing the Montana Labor Relations Board to petition the Montana Supreme Court to enforce the orders of the board; providing aggrieved persons may obtain writs of review from the Montana Supreme Court reviewing orders of the board; authorizing issuance of subpoenas and enforcing attendance of witnesses and taking of testimony by the Montana Labor Relations Board and providing for the manner of issuing subpoenas and enforcing attendance at hearings of the board; providing the Montana Labor Relations Board may obtain data from other state boards; authorizing the Montana Labor Relations Board to cooperate with the National Labor Relations Board; defining the terms used in the Act; providing penalties for violation of the provisions of this Act; appropriating funds to put into effect the provisions of this Act; repealing all Acts and parts of Acts in conflict herewith."

By Stromnes: A Bill for an Act entitled: "An Act relating to electric cooperative, non-profit, membership corporations organized to engage in rural electrification."

By D'Ewart, Padbury, Aronson and Newell: A Bill for an Act entitled: "An Act to re-enact and amend an Act ceding to the United States jurisdiction over certain lands, approved February 14, 1891, Laws of Montana, 1891, at Page 262, relating to ceding to the United States jurisdiction over certain lands, and retaining by the State of Montana jurisdiction over certain lands which may hereafter be acquired by the United States."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 118, respectfully report as follows: That House Bill No. 118 be amended by inserting after the words "street or avenue" the following words "except that 51 per cent of the property owners objecting to the change of name or question involved shall be supreme in this matter" in Section 1, line 5, of the original bill. That the said bill as amended, do pass.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 38, respectfully report as follows: That House Bill No. 38 be amended as follows: By striking from line 17, Section 1, the word "thereon" and inserting in lieu thereof "upon the original tax." and as amended do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 32, respectfully report as follows: That House Bill No. 32 do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 71, respectfully report as follows: That House Bill No. 71 do not pass.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 87, respectfully report as follows: That House Bill No. 87 do pass.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Development and Publicity, having had under consideration House Joint Resolution No. 3, respectfully report as follows: That House Joint Resolution No. 3 do pass.

MURRAY, Chairman.

Report adopted.

Mr. Speaker: We, a majority committee on State Boards and Offices, having had under consideration a Senate Joint Resolution No. 1, respectfully report as follows: That Senate Joint Resolution No. 1 be not concurred in.

FRIEDL, Chairman.

FLYNN,
CANNON,
STROMNES,
BROWN,
NEWELL,
GREEN,
ROEHL,
WILLIAMS,
MURRAY,

Mr. Speaker: We, a minority committee on State Boards and Offices, having had under consideration a Senate Joint Resolution No. 1, respectfully report as follows: That Senate Joint Resolution No. 1 be concurred in.

JAMES,
McFATRIDGE,
DANIEL,
PETERSEN,
POTTER.

It was moved by Friedl, duly seconded, that the majority report be adopted.

On substitute motion, it was moved by James, duly seconded and carried, that the minority report be adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that House Bill No. 6, be taken from the Committee on Judiciary and referred to the Committee on Appropriations.

It was moved by Lippard, duly seconded and carried, that House Bill No. 64 be taken from the Committee on Public Morals, Charities and Reforms and referred to the Committee on Federal Relations.

It was moved by Cannon, duly seconded and carried, that House Bill No. 78, be taken from the Engrossing Room and referred back to Committee on Affairs of Cities.

It was moved by Hoiness, duly seconded and carried, that House Bill No. 17 be taken from General Orders and referred to the Committee on Highways and Highway Transportation.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees:

House Bill No. 120, introduced by Affairs of Cities: A Bill for an Act entitled: "An Act relating to the power of any city, town, school district or board to operate a program of public recreation and play grounds, to acquire, equip and maintain land, buildings and/or other recreational facilities, to expend funds therefor, and providing for supervision by the State Board of Education in certain cases and repealing all Acts and parts of Acts in conflict therewith." Referred to Committee on Affairs of Cities.

House Bill No. 121, introduced by Judiciary Committee: A Bill for an Act entitled: "An Act to amend Chapter 63 of the Code of Civil Procedure of the Revised Codes of Montana of 1935, relating to actions to quiet title to real estate, by adding thereto a section to be numbered 9488.1, providing for the maintenance and prosecution of such actions as against unknown claimants or possible claimants, where there are no known claimants or possible claimants to any of the property involved in such action." Referred to Committee on Judiciary.

House Bill No. 122, introduced by McFatridge: A Bill for an Act entitled: "An Act to amend Sections 715, 716, 717, 718, 720, 721, 722, 723, 724, 725, 726, 727, 728, 730, 731, 733, and 734, Revised Codes of Montana, 1935, relating to a method of voting by electors who are absent or expect to be absent from the county in which they are electors, or who are physically incapacitated or who, in all probability, will be physically incapacitated from attending the polls on the day of election and making regulations regarding such voting." Referred to Committee on Privileges and Elections.

House Bill No. 123, introduced by DeDobbeleer, et al: A Bill for an Act entitled: "An Act to authorize County Hospitals to accept patients able to pay for the services rendered; authorizing the Board of County Commissioners to establish standard rates therefor and repealing all Acts and parts of Acts in conflict therewith." Referring to Committee on Public Health.

House Bill No. 124, introduced by Morrison by request: A Bill for an Act entitled: "An Act to amend Section 1760 of the Revised Codes of Montana, 1935, as amended by Chapter 138 of the Laws of Montana, 1937, relating to the registration of motor vehicles, fees, disposal of proceeds, fee for half year, dealers' registration and transfer thereof, and exempting public owned vehicles; and providing fees for tractors, defining same, and fees for trailers and semi-trailers, so as to provide that fifty (50) per cent of the net fees derived from the registration of motor vehicles, the owners of which reside within the boundaries of any incorporated city or town of the State of Montana shall be paid over by the County Treasurer to the Treasurer, or other authorized fiscal officer, of such incorporated city or town, for the use of the street fund of such city or town and to be controlled and disbursed by such city or town as a part of its street fund." Referred to Committee on Highways.

House Bill No. 125, introduced by Wenger: A Bill for an Act entitled: "An Act confirming the powers heretofore conferred upon the State Board of Examiners relating to the Montana State Tuberculosis Sanitarium and authorizing their execution: providing for the construction of additions and improvements to the Montana State Tuberculosis Sanitarium; authorizing the present issuance of revenue bonds in the principal amount of Fifty-one Thousand Dollars (\$51,000.00) for the payment thereof, constituting the remaining revenue bonds authorized by Chapter 22, Laws of Montana, Extraordinary Session 1933-34; directing that said revenue bonds be issued in accordance with Chapter 22, Laws of Montana, Extraordinary Session 1933-34, prescribing details in connection therewith and declaring an emergency." Referred to Committee on State Institutions and Public Buildings and Grounds.

House Bill No. 126, introduced by the Committee on Agriculture, DeDobbeleer, Chairman: A Bill for an Act entitled: "An Act to declare the necessity of creating governmental subdivisions of the State,

to be known as "soil conservation districts," to engage in conserving soil resources and preventing and controlling soil erosion; to establish the State Soil Conservation Committee, and to define its powers and duties; to provide for the creation of soil conservation districts; to define the powers and duties of soil conservation districts, and to provide for the exercise of such powers, including the power to acquire property by purchase, gift, and otherwise; to empower such districts to adopt programs and regulations for the discontinuance of land-use practices contributing to soil wastage and soil erosion, and the adoption and carrying out of soil-conserving land-use practices, and to provide for the enforcement of such programs and regulations; to provide for establishing boards of adjustment in connection with land-use regulations, and to define their functions and powers; to provide for the discontinuance of such soil conservation districts; to provide for the financial assistance to such soil conservation districts; and to repeal Chapter 157 of the Laws of the Regular Session of the Twenty-fifth Legislative Assembly." Referred to Committee on Agriculture.

House Bill No. 127, introduced by Watson: A Bill for an Act entitled: "An Act to provide for the creation of the Montana State Board of Forestry, and to define its powers and duties; providing for the conservation and protection of all forest lands and resources of the State of Montana; providing that owners of forest lands shall provide protection therefore or pay the actual cost of such protection provided by said board; provided procedure for the assessment and collection of the cost of forest protection; providing for the abatement of public nuisances existing on forest lands; providing police and safety measures for the prevention of and protection against fire on forest lands; providing for co-operation with federal, public and private agencies in forest conservation and protection; and providing for the repeal of Sections 1838, 1841, 1842, 2763, 2764, 2767, 2768, 2770, 2775, 2776, 2777, 2778, 2778.1, 2778.2, 2778.3, 2778.4, 6600 and 6601, of the Revised Codes of Montana of 1935, and of all Acts and parts of Acts in conflict with this Act." Referred to Committee on State Boards and Offices.

House Joint Memorial No. 10, introduced by Murray: A Memorial to the Congress of the United States requesting the enactment of legislation to bring about control of basic metals, to create a control board and suggesting the powers of said board. Referred to Committee on Federal Relations.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 12 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McLeod, Melin, Metlen, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Stafford, Stevens, Stewart, Sullivan, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, McKenna, Spiegel and Mr. Speaker. Total 91.

Absent and not voting: Acher, Goodwin, Horrigan, Longenecker, Loughran, Miles, Parker (Flathead), Smith, Stromnes, Tyler and Zuck. Total 11.

House Bill No. 27 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Liggett, Long, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Metlen, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods and Mr. Speaker. Total 87.

Noes: Lambert. Total 1.

Absent and not voting: Acher, Goodwin, Horrigan, Lippard, Listug, Longenecker, Loughran, McFatrige, Miles, Moss (Flathead), Smith, Stromnes, Tyler and Zuck. Total 14.

House Joint Memorial No. 1 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods and Mr. Speaker. Total 90.

Noes: Byrne and Duncan. Total 2.

Absent and not voting: Acher, Antrim, Goodwin, Horrigan, Lippard, Longenecker, Loughran, Miles, Stromnes and Zuck. Total 10.

House Joint Memorial No. 3 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Lowe, Lynch, Malee, Martin, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Mr. Speaker. Total 91.

Absent and not voting: Acher, Antrim, Goodwin, Horrigan, Lippard, Loughran, McCarthy, Petersen, Stewart, Stromnes and Zuck. Total 11.

House Bill No. 35 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brown, Byrne,

Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Lowe, Lynch, Malee, Martin, McClain, McFatridge, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods and Mr. Speaker. Total 88.

Noes: Brower, McGee, Padbury and Spiegel. Total 4.

Absent and not voting: Acher, Antrim, Armstrong, Goodwin, Horrigan, Lippard, Loughran, McCarthy, Stromnes and Zuck. Total 10.

House Bill No. 52 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Lowe, Lynch, Malee, Martin, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Moss, (Custer), Murray, Newell, O'Connor, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods and Mr. Speaker. Total 89.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Armstrong, Goodwin, Horrigan, Lippard, Loughran, McCarthy, Padbury, Smith, Stromnes, Zuck. Total 13.

House Bill No. 65 was passed by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Flynn, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Lowe, Lynch, Malee, Martin, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss, (Custer), Murray, Newell, O'Connor, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, and Mr. Speaker. Total 88.

Noes: Acton. Total 1.

Absent and not voting: Acher, Armstrong, Findlater, Goodwin, Horrigan, Lippard, Loughran, McCarthy, Moss (Flathead), Padbury, Smith, Stromnes, Zuck. Total 13.

House Bill No. 67 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Green, Hageman, Hess, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long,

Longenecker, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Wilson, Woods and Mr. Speaker. Total 87.

Noes: Gabhardt, Hammond, Hoiness, McFatridge and Williams. Total 5.

Absent and not voting: Acher, Armstrong, D'Ewart, Goodwin, Horrigan, Lippard, Loughran, Moss (Flathead), Stromnes and Zuck. Total 10.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Parker of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend: That House Bills Nos. 34, 39, 40, 44 and 45 do pass.

PARKER, (Flathead),
Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 34, 39, 40, 44, 45, 79 and 84. House Joint Memorial No. 7.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills, Nos. 33, 41, 76 and 89, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

NOTICES

Authors gave notice, that they would on tomorrow or some subsequent day, introduce the following:

By Daniel: A Bill for an Act entitled: "An Act to amend Section 1010 Laws of 1931 of the Revised Codes of Montana."

By Parker (Flathead): A Bill for an Act entitled: "An Act limiting the civil liability of owners and operators of motor vehicles for personal injury or property damage to guests, repealing Sections 1748.1 through 1748.4, Revised Codes of Montana, 1935, and all other Acts or parts of Acts in conflict herewith."

By Murray: A Bill for an Act entitled: "An Act to authorize the organization of state employees to bargain collectively with their em-

ployers and to provide rules and regulations for such collective bargaining organizations."

By Hoiness, McFatridge, Hammond, Gebhardt and Williams: A Bill for an Act entitled: "An Act to amend Section 4584 of the Revised Codes of Montana, 1935, relating to the assessment and apportionment of costs of rural improvement districts.

By McFatridge and Gebhardt: A Bill for an Act entitled: "An Act amending Section 4867 of the Revised Codes of Montana of 1935, relating to salaries of county officers."

By Freshman, Goodwin and McGee, by request: A Bill for an Act entitled: "An Act to amend Sections 5132, 5133 and 5134, of the Revised Codes of Montana, 1935, relating to service pensions, disability pensions and widows or orphans pensions to be paid members or survivors of members of fire departments in the city and towns where Firemen's Relief Associations have been formed."

By Committee on Education: A Bill for an Act entitled: "An Act amending paragraph (7), of Section 1, of Chapter 87, of the Laws of the Twenty-fifth Legislative Assembly of 1937, relating to the definition of 'prior service'; amending paragraph 3 (a) of Section 8, of Chapter 87, of the Laws of the Twenty-fifth Legislative Assembly of 1937, relating to the 'Pension Accumulation Fund' and providing for an appropriation therefor; amending paragraph 5 (c), of Section 8, of Chapter 87, of the Laws of the Twenty-fifth Legislative Assembly of 1937, relating to the 'Expense Fund' and providing an appropriation therefor; amending paragraph, (b) of Section 10, of Chapter 87, of the Twenty-fifth Legislative Assembly of 1937, relating to the 'Collection of Contributions by Members' and providing penalties."

By Byrne, Anderson (Phillips), D'Ewart, Martin and Melin: A Bill for an Act entitled: "An Act to amend certain sections of the Public Welfare Act of the State of Montana as follows:

Subsection (c) of Section III Part I.
 Subsection (a) of Section VI Part I.
 Subsection (b) of Section VI Part I.
 Subsection (h) of Section VII Part I.
 Subsection (b) of Section IX Part I.
 Subsection (c) of Section IX Part I.
 Subsection (b) of Section X Part I.
 Subsection (c) of Section X Part I.
 Subsection (d) of Section X Part I.
 Subsection (b) of Section XI Part I.
 Section XIV Part I.
 Section XX Part I.
 Subsection (a) of Section II Part II.
 Subsection (b) of Section II Part II.
 Section V Part II.
 Section IX Part II.
 Subsection (a) of Section I Part IV.
 Section VII Part IV.
 Subsection (e) of Section IV Part VI.
 Subsection (g) of Section IV Part VI.
 Subsection (h) of Section IV Part VI.
 Subsection (j) of Section IV Part VI.

Section III Part VIII and to amend and renumber Section V, Part VIII and to repeal Section XIII, Part II; all of which sections and subsections belong to Chapter 82, Acts of the Twenty-fifth Legislative Assembly of the State of Montana, being the Public Welfare Act, all relating to the general welfare and the Social Security of the people of the State of Montana."

By Parker (Flathead), Byrne, Morrison and Lehrkind: A Bill for an Act entitled: "An Act to amend Sections 3156, 3157, 3159, 3162, 3166

and 3167 of the Revised Codes of Montana, 1935: All relating to the regulation of the practice of optometry and to prevent ignorant, unprofessional or incompetent persons from practicing same."

By Flynn: A Bill for an Act entitled: "An Act to amend Section 2026, Revised Codes of Montana, 1935, relating to the classification of lands for the purposes of taxation, and providing that certain lands shall not be classified as irrigated lands."

By Reed, Hoiness, Laubach, Aronson, Tyler and Acher: A Bill for an Act entitled: "An Act establishing a State Blind Commission and designating said commission, to cooperate with the Federal government as the agency of the State of Montana in the administration of the Randolph-Shephard Act, approved June 20th, 1936, and in the administration of any other Federal Acts, and authorizing said commission to cooperate with any departments of the State of Montana for the purpose of improving the condition of the adult blind, who by reason of age, are ineligible to attend the Montana School for the Deaf and Blind, by the Rehabilitation and vocational training of the blind of Montana, and the prevention of blindness, and prescribing the powers and duties of said commission."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 10, respectfully report as follows: That House Joint Memorial No. 10 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 6, respectfully report as follows: That House Joint Memorial No. 6 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 126, respectfully report as follows: That House Bill No. 126 be amended as follows: Strike out lines 15, 16, 17 and 18 of Section 14, and that the same do pass, as amended.

DeDOBLEER, Chairman.

Report adopted.

Mr. Speaker: We, your majority committee on Affairs of Cities, having had under consideration House Bill No. 57, respectfully report as follows: That House Bill No. 57 do not pass.

BERTHOT,
D'EWART,
STEWART,
NEWELL,
EKERN.

Mr. Speaker: We, your minority committee on Affairs of Cities, having had under consideration House Bill No. 57, respectfully report as follows: That House Bill No. 57 do pass.

McCLAIN, Chairman.
McGEE,
SULLIVAN,

It was moved by D'Ewart, duly seconded, that the report of the majority be adopted.

On Substitute motion, it was moved by McClain, duly seconded, that the report of the minority be adopted. Motion by McClain lost.

A roll call vote was demanded by the required number, to be entered in the Journal, and the majority report was adopted by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Berthot, Brower, Clark, Cole (Petroleum), Cole (Prairie), D'Ewart, Duncan, Dunn, Ekern, Emswiler, Gebhardt, Green, Hageman, Hammond, Hoiness, Horrigan, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Listug, Longenecker, Lowe, Lynch, Martin, McFatridge, Melin, Metlen, Miles, Morrison, Moss (Flathead), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Rice, Roehl, Stafford, Stewart, Tyler, Watson, Williams, Wilson, Woods. Total 54.

Noes: Anderson (Cascade), Beadle, Beck, Bjorneby, Bower, Brown, Byrne, Cannon, Collins, Daniel, DeDobbeleer, Dougherty, Findlater, Flynn, Freshman, Friedl, Goodwin, Hess, James, Liggett, Long, Malee, McCarthy, McClain, McGee, McKenna, McLeod, Moss (Custer), Murray, Reed, Ryan, Scofield, Siegling, Smith, Spiegel, Stevens, Stromnes, Sullivan, Vanderbeck, Wenger, Zuck, Lambert and Mr. Speaker. Total 43.

Absent and not voting: Acher, Lippard, Loughran and Sorte. Total 4.

Passed: Petersen. Total 1.

MOTIONS AND RESOLUTIONS

It was moved by Balgord, duly seconded and carried, that House Bill No. 29 be recalled from the Committee on Engrossing and placed on General Orders for the purpose of amendment.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Bill No. 128, introduced by Stafford and Moss of Flathead: A Bill for an Act entitled: "An Act relating to the licensing of persons operating motor vehicles upon highways and make uniform the laws relating thereto for the purpose of securing a greater safety to the lives and persons of the public generally of the State of Montana and providing penalties for the violations of the provisions thereof." Referred to Committee on Highways.

House Bill No. 129, introduced by Hoiness by request: A Bill for an Act entitled: "An Act relating to licensing of persons engaged in buying, selling, and storing beans, providing for issuance of license upon compliance with United States Warehouse Act; providing for grading of beans and amending Sections 3592.59, 3592.63 and 3592.64 of the Revised Codes of Montana, 1935." Referred to Committee on Agriculture.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole, for consideration of General Orders, under the rules of the previous sitting.

Parker of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 29 recommend the following: That House Bill No. 29 be amended by adding a new section to be numbered 2 to read as follows: "Section 2. All Acts and parts of Acts in conflict herewith are hereby repealed"; and amend the title by adding the words "and re-

pealing all Acts and parts of Acts in conflict herewith." And as amended, do pass.

PARKER, (Flathead), Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Friday, January 27th, 1939, at 11:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

TWENTY-SIXTH DAY

House of Representatives,
Helena, Montana,
January 27, 1939.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Acher, Friedl and Loughran.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-fourth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill Nos. 20 and 29.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 59, 70, 88, 92, 93, 105 and substitute for House Bill No. 3 beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

NOTICES

Authors gave notice, that they would on tomorrow or some subsequent day, introduce the following:

By Smith and Murray: A Bill for an Act entitled: "A Bill for an Act to compel dredges and drag-lines used in mining operations to level off the ground after working said ground and to place said ground in a condition as nearly as possible to the condition it was in immediately prior to the time said mining operations were commenced."

By Committee on Appropriations: A Bill for an Act entitled: "An Act to appropriate money for the operation and maintenance and other purposes as designated herein for the several units of the Greater University of Montana, known as the State University, Agricultural College, Experiment Station and Substations, Extension Service, School of Mines, State Normal College, Eastern Montana Normal School, and Northern Montana College and for Student Fare Refunds for the period beginning July 1, 1939, and ending June 30, 1941."

By Committee on Judiciary: A Bill for an Act entitled: "A Bill for an Act relating to the employees of the Supreme Court of the State of

Montana, and amending Sections 366, 367, 368 and 377 of the Revised Codes of Montana, 1935, relating to the duties of the Supreme Court Marshal and the Supreme Court Attendant, and amending Sections 1569 of the Revised Codes of Montana, 1935, relating to the appointment and duties and qualifications of the Assistant State Law Librarian, and repealing all Acts and parts of Acts in conflict therewith."

By Lippard: A Bill for an Act entitled: "An Act to amend Section 8289, Revised Codes of Montana, 1935, relating to the acknowledgment of satisfaction of Chattel Mortgages; providing that the mortgagee shall make an acknowledgment of satisfaction and that the mortgagee must file the same, and providing a penalty for failure to file said acknowledgment of satisfaction and discharge."

By Freshman by request: A Bill for an Act entitled: "An Act to amend Section 5668.38 of the Revised Codes of Montana of 1935 relating to tax levy for establishing and maintaining airports—bonds, by authorizing a license tax."

By Smith: A Bill for an Act entitled: "An Act to amend Section 1741.5 of Chapter 182 of the Laws of 1937 relative to the salaries of Highway Patrolmen."

By Gebhardt: A Bill for an Act entitled: "An Act to appropriate money for the payment of assessment and judgment against the State of Montana for \$1652.13 made on account of Custer Drainage District in Yellowstone County, Montana, on cost of construction of drainage system and directing the State Auditor to draw his warrant in payment of said assessment and judgment."

By Gebhardt: A Bill for an Act entitled: "An Act to appropriate money for the payment of assessment and judgment against the State of Montana for Six Thousand Four Hundred Dollars (\$6,400.00) made on account of Holling Drainage District in Yellowstone County, Montana, on cost of construction of drain and directing the State Auditor to draw his warrant in payment of said assessment and judgment."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 120, respectfully report as follows: That House Bill No. 120 do pass.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities having had under consideration House Bill No. 85, respectfully report as follows: That House Bill No. 85 do pass.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections having had under consideration House Bill No. 122, respectfully report as follows: That House Bill No. 122 do not pass.

It was moved by Bjorneby that the report of the committee be adopted. On substitute motion, it was moved by McFatridge, duly seconded and carried that House Bill No. 122 be printed and placed on General Orders.

Mr. Speaker: We, your Committee on Privileges and Elections having had under consideration House Bill No. 74, respectfully report as follows: That House Bill No. 74, do not pass.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Water Conservation and Flood Control having had under consideration Senate Joint Memorial No. 4, respectfully report as follows: That Senate Joint Memorial No. 4, be concurred in.

PARKER (Wibaux),
Chairman.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 7 and House Joint Memorial No. 4, having been read three several times and concurred in are herewith returned to the House.

Respectfully,
GEORGE A. BURR,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bills Nos. 10 and 14 and Senate Joint Memorials Nos. 2 and 3, having been read three several times and passed, titled and history agreed to, are herewith transmitted to the House for concurrence.

Respectfully,
GEORGE A. BURR,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Bill No. 130: Introduced by McFatrige and Gebhardt: A Bill for an Act entitled: "An Act amending Section 4867 of the Revised Codes of Montana of 1935, relating to salaries of County Officers." Referred to Committee on State Boards and Offices.

House Bill No. 131: Introduced by Bjerneby: A Bill for an Act entitled: "An Act to promote the public safety and welfare by prohibiting the operation of motor vehicles upon the highways of the State while intoxicated or under the influence of intoxicating liquor; amending Section 1746.2 of the Revised Codes of Montana, 1935, relating to the penalty for the operation of a motor vehicle while intoxicated or under the influence of intoxicating liquor; amending Section 1746.3 of the Revised Codes of Montana, 1935, relating to additional penalties for such offense; defining the term 'intoxicated or under the influence of intoxicating liquor'; providing tests for the determination of whether a driver is intoxicated as herein defined and prescribing the duties of the arresting officer." Referred to Committee on Highways.

House Bill No. 132: Introduced by Freshman, Goodwin, McGee by request: A Bill for an Act entitled: "An Act to amend Sections 5132, 5133 and 5134, of the Revised Codes of Montana, 1935, relating to Service Pensions, Disability Pensions and Widows or Orphans Pensions to be paid members or survivors of members of Fire Departments in the cities and towns where Firemen's Relief Associations have been formed." Referred to Committee on Affairs of Cities.

House Bill No. 133: Introduced by Byrne, Anderson (Phillips), D'Ewart, Martin and Melin: A Bill for an Act entitled: "An Act to amend certain sections of the Public Welfare Act of the State of Montana as follows:

Subsection (c) of Section III Part I.
Subsection (a) of Section VI Part I.
Subsection (b) of Section VI Part I.

Subsection (h) of Section VII Part I.
 Subsection (b) of Section IX Part I.
 Subsection (c) of Section IX Part I.
 Subsection (b) of Section X Part I.
 Subsection (c) of Section X Part I.
 Subsection (d) of Section X Part I.
 Subsection (b) of Section XI Part I.
 Section XIV Part I.
 Section X Part I.
 Subsection (a) of Section II Part II.
 Subsection (b) of Section II Part II.
 Section V Part II.
 Section IX Part II.
 Subsection (a) of Section I Part IV.
 Section VII Part IV.
 Subsection (e) of Section IV Part VI.
 Subsection (g) of Section IV Part VI.
 Subsection (h) of Section IV Part VI.
 Subsection (j) of Section IV Part VI.

Section III Part VIII and to amend and renumber Section V, Part VIII and to repeal Section XIII, Part II; all of which sections and subsections belong to Chapter 82, Acts of the Twenty-fifth Legislative Assembly of the State of Montana, being the Public Welfare Act, all relating to the General Welfare and the Social Security of the people of the State of Montana." Referred to Committee on Social Security.

House Bill No. 134: Introduced by Parker of Flathead: A Bill for an Act entitled: "An Act limiting the civil liability of owners and operators of motor vehicles for personal injury or property damage to guests, repealing Sections 1748.1 through 1748.4, Revised Codes of Montana, 1935, and all other Acts or parts of Acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 135: Introduced by Parker (Flathead), Morrison, Lehrkind: A Bill for an Act entitled: "An Act to amend Sections 3156, 3157, 3159, 3162, 3166 and 3167 of the Revised Codes of Montana, 1935; all relating to the regulation of the practice of optometry and to prevent ignorant, unprofessional or incompetent persons from practicing same." Referred to Committee on Public Health and Sanitary Affairs.

Senate Bill No. 10: Introduced by Foor: A Bill for an Act entitled: "An Act to amend Chapter 50 of the Code of Civil Procedure of the Revised Codes of Montana, 1935, by adding one new section to be known as Section 9327.1 providing for pre-trial procedure by the court in formulating issues in any civil action." Referred to Committee on Judiciary.

Senate Bill No. 14: Introduced by Keeley: A Bill for an Act entitled: "An Act to amend Section 2900, of the Revised Codes of Montana, 1935, so as to include within the provisions thereof a stay as to the running of the period of limitations in cases of workmen employed by school districts." Referred to Committee on Judiciary.

Senate Joint Memorial No. 2: Introduced by Committee on Federal Relations: "A Memorial to the Congress of the United States for the passage of an Act incorporating the principles of the Townsend National Recovery Plan substantially as set forth in a Bill entitled H. R. 4199 introduced into the House of Representatives in the First Session of the 75th Congress of the United States of February 2, 1937. Referred to Committee on Federal Relations.

Senate Joint Memorial No. 3: Introduced by Kroman: "A Memorial in support of the Committee of Investigation of UnAmerican Practices." Referred to Committee on Federal Relations.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 34 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderback, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 97.

Absent and not voting: Acher, Friedl, Lippard, Loughran, Smith. Total 5.

House Bill 39 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 95.

Absent and not voting: Acher, Friedl, Lippard, Loughran, Smith, Stromnes, Woods. Total 7.

House Bill 40 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlin, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 95.

Absent and not voting: Acher, Friedl, Lippard, Loughran, Malee, Smith, Stromnes. Total 7.

House Bill 44 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Beck, Berthot, Bjorneby, Bower, Brower, Byrne, Clarke, Cole (Petroleum), Cole (Prairie), Collins, Daniel, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Liggett, Listug, Longenecker, Lowe, Lynch, Malee, McCarthy, McFatrige, McKenna, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Scofield, Siegling, Stafford, Stevens, Stewart, Stromnes, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 76.

Noes: Anderson (Cascade), Beadle, Brown, Cannon, DeDobbeleer, Ekern, Flynn, Lambert, Long, Martin, McClain, McGee, McLeod, Murray, Rice, Ryan, Sorte, Spiegel, Sullivan, Tyler. Total 20.

Absent and not voting: Acher, Friedl, Lippard, Loughran, Metlen, Smith. Total 6.

MOTIONS AND RESOLUTIONS

It was moved by Metlen, duly seconded and carried, that House Bill No. 41 be taken from General Orders and referred to the Committee on Judiciary.

It was moved by Liggett, duly seconded and carried, that the House of Representatives appropriately express to Mr. J. G. Reitch and to the manager of the Antlers and Marlow theaters, our appreciation of the very splendid entertainment provided the Legislative members and their wives last evening, January 26, 1939.

It was moved by McLeod, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Authors gave notice, that they would on tomorrow or some subsequent day introduce the following:

By Lambert: A House Joint Memorial entitled: "A Memorial requesting Congress of the United States to pass a Bill granting certain public lands to the State of Montana for the use and benefit of the Northern Montana Agricultural and Manual Training School also designated as the Northern Montana College."

By Melin and McGee: A Bill for an Act entitled: "An Act to amend Section 5711 of the Revised Codes of Montana, 1935, relating to the county in which a marriage license must be obtained and duties of the Clerk of the District Court."

By Committee on Appropriations: A Bill for an Act entitled: "An Act to appropriate money from the State General Fund for the salary of Bandmaster and Instructor at the Montana State Prison, and to prevent the termination of the W. A. Clark Trust for the benefit of prisoners at said institution, for the biennium, July 1, 1939, to June 30, 1941."

By Laubach: A Bill for an Act entitled: "An Act to amend Section 10,798, Revised Codes of Montana, 1935, relating to the publication of political advertisements."

By McGee: A Bill for an Act entitled: "An Act to amend Section 2620.17 Revised Codes of Montana, 1935, relating to the licensing of milk and cream buying stations; providing the fees that shall be paid for such

licenses, and providing that such milk and cream buying stations shall furnish a surety bond to secure payment for all milk, cream or other dairy product purchased."

By Sorte, Clark and Hammond: A Bill for an Act entitled: "An Act to amend Section 1805.87, Revised Codes of Montana, 1935, relating to payments of installments on certificate of purchase of State Lands and penalty interest on delinquent installments."

By Sorte, Clark and Hammond: A Bill for an Act entitled: "An Act to amend Section 1805.89, Revised Codes of Montana, 1935, relating to reinstatement of cancelled certificates of purchase of State Land and effect thereof."

By Sorte, Clark and Hammond: A Bill for an Act entitled: "An Act to amend Section 1805.88 Revised Codes of Montana, 1935, relating to default in payment of installments on certificate of purchase of State Lands and effect thereof."

By Lambert, Ekern and Hess: A Bill for an Act entitled: "An Act providing for the registration of automatic merchandise vending machines; providing for the reporting to the State Board of Equalization the gross revenue derived from said automatic merchandise vending machines; providing for the payment of an operating fee based on said gross revenue; providing for the disposition of said operating fee by the State Board of Equalization and State Treasurer of Montana; and providing penalties for the violation of this Act."

By Lambert, Ekern and Hess: A Bill for an Act entitled: "An Act providing for the registration by the owner of service rendering devices or machines which require a person to insert a coin or coins in a container before the service is rendered; providing for the reporting of the gross revenue derived from said devices or machines for services rendered wholly within the State of Montana; providing for the payment of an operating fee based on said gross revenue; providing for the disposition of said operating fee by the State Board of Equalization and State Treasurer of Montana; and providing penalties for the violation of this Act."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 118, 38, 32, House Joint Resolution No. 3 and House Joint Memorial No. 10, beg leave to report that the same have this date been returned from the printer correctly printed.

Report adopted.

BECK, Chairman.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 116, respectfully report as follows: That House Bill No. 116 do pass.

Report adopted.

SMITH, Vice-Chairman.

Mr. Speaker: We, your majority committee on Judiciary having had under consideration House Bill No. 96, respectfully report as follows: That House Bill No. 96 do pass.

SMITH, Vice-Chairman.
DUNN,
BAKER,
O'CONNOR,
STROMNES,
RICE,
HOINESS,
BROWER,

Mr. Speaker: I, a minority of Judiciary, having had under consideration House Bill No. 96, respectfully report as follows: That House Bill No. 96 do not pass.

STAFFORD.

It was moved by Smith, duly seconded and carried, that the majority report be adopted.

Mr. Speaker: We, your Committee on Banks and Banking having had under consideration House Joint Memorial No. 5, respectfully report as follows: That House Joint Memorial No. 5, do not pass.

It was moved by Berthot, duly seconded, that the report of the committee be adopted. On substitute motion, it was moved by Long, duly seconded and carried, that House Joint Memorial No. 5, be printed and placed on General Orders.

Mr. Speaker: We, your Committee on Federal Relations having had under consideration House Bill No. 64, respectfully report as follows: That House Bill No. 64, do not pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations having had under consideration House Joint Memorial No. 9, respectfully report as follows: That House Joint Memorial No. 9 do not pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities having had under consideration House Bill No. 78, respectfully report as follows: That House Bill No. 78 do not pass.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, the majority of the Committee on Highways and Highway Transportation having had under consideration House Bill No. 124, respectfully report as follows: That House Bill No. 124 do not pass.

LEHRKIND,
MOSS (Flathead),
ANTRIM,
ARONSON,
D'EWART,
HAGEMAN,
PARKER, (Wibaux),
FLYNN,
VANDERBECK,
KELLOGG.

Mr. Speaker: We, the minority of the Committee on Highways and Highway Transportation having had under consideration House Bill No. 124, respectfully report as follows: That House Bill No. 124 do pass.

SMITH,
WILLIAMS,
ACTON.

It was moved by Lehrkind, duly seconded, that the report of the majority be adopted. On substitute motion, it was moved by Smith, duly seconded, that the minority report be adopted. Motion was lost. Whereupon, the report of the majority was adopted.

Mr. Speaker: We, your majority committee on Mines and Mining having had under consideration House Bill No. 55, respectfully report as follows: That House Bill No. 55 do not pass.

MORRISON (Chairman).
HARRIGAN,
LIGGETT,
LONGENECKER,
NEWELL,
VANDERBECK,
PADBURY,
WOODS,
GOODWIN,
STEWART,
SEIGLING.

Mr. Speaker: We, your minority committee on Mines and Mining having had under consideration House Bill No. 55, respectfully report as follows: That House Bill No. 55, do pass.

BROWN,
McCARTHY,
McGEE,
MURRAY.

It was moved by Morrison, duly seconded, that the report of the majority be adopted. On substitute motion, it was moved by Brown, duly seconded, that the report of the minority be adopted.

A roll call was requested by the required number, to be entered in the Journal, and the motion was lost by the following vote:

Ayes: Anderson (Cascade), Beadle, Beck, Bjorneby, Bower, Brown, Cannon, Daniel, DeDobbeleer, Ekern, Hess, Lambert, Long, Malee, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Moss (Custer), Murray, Petersen, Ryan, Sorte, Spiegel, Stafford, Sullivan, Tyler, Wenger and Flynn. Total 31.

Noes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Berthot, Brower, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Harrigan, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Liggett, Lipard, Listug, Longenecker, Lowe, Lynch, McFatridge, Melin, Metlen, Miles, Morrison, Moss (Flathead), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Stevens, Stewart, Stromnes, Vanderbeck, Watson, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 67.

Absent: Friedl and Loughran. Total 2.

Paired: Acher and James. Total 2.

Whereupon the report of the majority was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. J. R. No. 2 having been read three several times and concurred in as amended is herewith returned to the House.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by McLeod, duly seconded and carried, that Senate Amendments to House Joint Resolution No. 2, be placed at the head of General Orders.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Bill No. 139: Introduced by Murray: A Bill for an Act entitled: "An Act to authorize the organization of State Employees to bargain collectively with their employers and to provide rules and regulations for such collective bargaining organizations." Referred to Committee on Labor.

House Bill No. 138: Introduced by Reed, Hoiness, Laubach, Aronson, Tyler and Acher: A Bill for an Act entitled: "An Act establishing a State Blind Commission and designating said commission, to cooperate with the Federal government as the agency of the State of Montana in the administration of the Randolph-Shephard Act, approved June 20th, 1936, and in the administration of any other Federal Acts, and authorizing said commission to cooperate with any departments of the State of Montana for the purpose of improving the condition of the adult blind, who by reason of age, are ineligible to attend the Montana School for the Deaf and Blind, by the rehabilitation and vocational training of the blind of Montana, and the prevention of blindness, and prescribing the powers and duties of said commission." Referred to Committee on State Boards and Offices.

House Bill No. 137: Introduced by Anderson (Cascade), Stafford, Siegling and McLeod: A Bill for an Act entitled: "An Act to repeal Section 1262.80 and to amend Sections 1262.81 and 1262.82 of the Revised Codes of Montana, 1935, relating to the attendance of a student at a high school outside the county of his residence, and the duty of the County Commissioners to pay from the High School Transfer Fund to the Board of Trustees of the School District or County High School of the pupils attendance a sum of money equivalent to the per pupil allowance budgeted and providing the time that such payment shall be made." Referred to Committee on Education.

House Bill No. 136: Introduced by Anderson (Cascade), Siegling, Stafford and McLeod: A Bill for an Act entitled: "An Act to amend Section 1263.8 of the Revised Codes of Montana, 1935, relating to the budget of District and County High Schools, and providing the duties of the County Superintendent of Schools, when there are students attending high school outside of their County or when such students are placed in a State institution." Referred to Committee on Education.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Hoiness in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Amendments to House Joint Resolution No. 2 be not concurred in and a conference committee be appointed in the House and a like committee be requested from the Senate.

That House Bill No. 37, do pass.

That House Bill No. 33, do pass.

That House Bill No. 76, do pass.

That House Bill No. 89, do pass.

That Senate Joint Resolution No. 1 be concurred in.

HOINESS, Chairman.

Report adopted.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 45 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Listug, Long, Longenecker, Lowe, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 89.

Absent: Acher, D'Ewart, Friedl, Leuthold, Lippard, Loughran, Lynch, O'Connor, Parker (Flathead), Smith, Stewart, Stromnes, and Sullivan. Total 13.

House Bill 79 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Lambert, Laubach, Liggett, Listug, Longenecker, Lowe, Lynch, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Miles, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 86.

Noes: Long. Total 1.

Absent: Acher, D'Ewart, Friedl, Kirscher, Lehrkind, Leuthold, Lippard, Loughran, Malee, Morrison, Parker (Flathead), Smith, Stromnes, Sullivan, Woods. Total 15.

House Bill 84 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Longenecker, Lowe, Martin, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Woods, Zuck, Mr. Speaker. Total 85.

Absent: Acher, D'Ewart, Ekern, Friedl, Kirscher, Leuthold, Loughran, Lynch, Malee, McCarthy, Moss (Flathead), Murray, Parker (Flathead), Smith, Stromnes, Sullivan, Wilson. Total 17.

House Joint Memorial No. 7 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Longenecker, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Moss (Custer), Murray, Newell, O'Connor, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 86.

Noes: Long. Total 1.

Absent: Acher, Armstrong, Friedl, Kirscher, Leuthold, Loughran, Malee, Metlen, Morrison, Moss (Flathead), Padbury, Parker (Flathead), Smith, Stromnes, Sullivan. Total 15.

House Bill No. 20 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Cole (Petroleum), Cole (Prairie), Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 87.

Noes: Longenecker and Watson. Total 2.

Absent: Acher, Clark, Collins, Friedl, Kirscher, Leuthold, Loughran, Metlen, Moss (Flathead), Padbury, Parker (Flathead), Stromnes, Sullivan. Total 13.

House Bill No. 29 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Longenecker, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 88.

Noes: Miles. Total 1.

Absent: Acher, Findlater, Friedl, Kirscher, Leuthold, Loughran, Metlen, O'Connor, Padbury, Parker (Flathead), Stevens, Stewart, Stromnes. Total 13.

The Speaker appointed the following Conference Committee on Senate Amendments to House Joint Resolution No. 2; Lambert of Hill; Anderson of Phillips; and Stromnes of Cascade.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Saturday, January 28th, 1939, at 10:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

TWENTY-SEVENTH DAY

House of Representatives,
Helena, Montana,
January 28, 1939.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following, who were excused: Acher, Friedl, Goodwin, Lehrkind and Loughran.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-sixth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice, that they would on tomorrow or some subsequent day, introduce the following:

By McLeod and Murray: A Bill for an Act entitled: "An Act to provide vacation with pay for workers; prescribing to whom Act shall apply; providing penalty for violation thereof; and repealing all Acts and parts of Acts in conflict therewith."

By Hammond: A Bill for an Act entitled: "An Act to amend Section 12 of Chapter 80 of the Session Laws of Montana of 1937, so as to authorize the Montana Trade Commission to enforce the provisions of said Act and to provide procedure therefore and also to amend said Chapter 80, by incorporating therein in the proper order, four new sections to be known as Section 12A, 12B, 12C and 12D, providing for the procedure for the establishment of cost surveys, conferring power upon the Montana Trade Commission to conduct hearings and investigations and providing the method of procedure therefore, making unlawful the changing, altering, substituting or falsifying of invoices and providing penalties therefore and creating the Unfair Practice Act Enforcement Fund and providing for the transfer to such fund of a percentage of the store license fee receipts and for the expenditure of such fund for the cost and expenses incurred by the Montana Trade Commission in the performance of its duties under said Chapter."

By Hammond: A Bill for an Act entitled: "An Act providing for the regulation of the sale of food and food stuffs, providing for a State Board of Food Distributors and defining its powers and duties, setting forth the requirements for licensing of food stores, restaurants, and other places, definitions and penalties and repealing all Acts and parts of Acts in conflict herewith."

By Siegling: A Bill for an Act entitled: "An Act relating to the acquisition by the United States of lands and waters within the State of Montana for the purpose of creating, developing and maintaining refuges for migratory waterfowl, and providing jurisdiction in such areas to be retained by the State of Montana."

By Siegling: A Bill for an Act entitled: "An Act assenting to the provisions of the Act of Congress entitled 'an Act to provide that the United States shall aid the states in wildlife-restoration projects, and for

other purposes,' approved September 2, 1937; vesting certain authority in the Montana Fish and Game Commission in connection therewith and providing for disposition of funds realized thereunder."

By Hoiness and Malee: A Bill for an Act entitled: "An Act in relation to arson and the burning of property to defraud an insurer and to repeal Sections 11337, 11338, 11339, 11340, 11341, 11342, 11343, 11344, 11345 and 11426 of the Revised Codes of Montana of 1935."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 36, respectfully report as follows: That House Bill No. 36 be amended as follows:

By inserting in Section 1, line 24, after the word "statement" the following: "under oath showing the makes of new motor vehicles handled by him and that he has a written current years franchise with the manufacturer of such new motor vehicles handled by him or a written current years franchise with a duly authorized distributor of such new motor vehicles handled by him."

METLEN, Chairman.

Report adopted.

Mr. Speaker: We your Committee on Judiciary, having had under consideration House Bill No. 109, respectfully report as follows: That House Bill No. 109 do pass.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 54, respectfully report as follows: That House Bill No. 54 do pass.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill Nos. 76 and 89.

RICE, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

Senate Bill No. 25, introduced by Dahl: A Bill for an Act entitled: "An Act to insure safety from death of bodily harm and injury for aeronauts and air passengers and to protect the property of those engaged in aeronautics by controlling the building of obstructions in air space in the vicinity of public airports or landing fields which now may be or which hereafter may be acquired, owned, operated or maintained by the United States, State of Montana, any County of the State or any municipality thereof." Referred to Committee on Aviation.

Senate Bill No. 6, introduced by Mahoney: A Bill for an Act entitled: "An Act to amend Section 970 of the R. C. M., 1935, relating to the abandonment of school districts." Referred to Committee on Education.

House Bill No. 140, introduced by the Appropriation Committee: A Bill for an Act entitled: "An Act to appropriate money for the operation and maintenance and other purposes as designated herein for the several

units of the Greater University of Montana, known as the State University, Agricultural College, Experiment Station and Substations, Extension Service, School of Mines, State Normal College, Eastern Montana Normal School, and Northern Montana College and for student fare refunds for the period beginning July 1, 1939, and ending June 30, 1941." Referred to Committee on Appropriations.

House Bill No. 141, introduced by Lippard: A Bill for an Act entitled: "An Act to amend Section 8289, Revised Codes of Montana, 1935, relating to the acknowledgment of satisfaction of chattel mortgages; providing that the mortgagee shall make an acknowledgment of satisfaction and that the mortgagee must file the same, and providing a penalty for failure to file said acknowledgment of satisfaction and discharge." Referred to Committee on Judiciary.

House Bill No. 142, introduced by McGee: A Bill for an Act entitled: "An Act to amend Section 2620.17 Revised Codes of Montana, 1935, relating to the licensing of milk and cream buying stations; providing the fees that shall be paid for such licenses, and providing that such milk and cream buying stations shall furnish a surety bond to secure payment for all milk, cream or other dairy product purchased." Referred to Committee on Dairying.

House Bill No. 143, introduced by Smith: A Bill for an Act entitled: "An Act to amend Section 2222 of the Revised Codes of Montana, 1935, providing for the refund of taxes, penalties and costs paid more than once or erroneously or illegally collected." Referred to Committee on Revenue and Taxation.

House Bill No. 144, introduced by Smith: A Bill for an Act entitled: "An Act to amend Section 4, 5, 11 and 14 of Chapter 84, Laws of the Twenty-fifth Legislative Assembly of the State of Montana, relating to the regulating, licensing and sale of Liquor at retail in the State of Montana." Referred to Committee on Revenue and Taxation.

House Bill No. 145, introduced by Judiciary Committee: A Bill for an Act entitled: "An Act relating to the employees of the Supreme Court of the State of Montana, and amending Section 366, Section 367, Section 368, Section 377 of the Revised Codes of Montana, 1935, relating to the duties of the Supreme Court Marshal and the Supreme Court Attendant, and amending Section 1569 of the Revised Codes of Montana, 1935, relating to the appointment and duties and qualifications of the Assistant State Law Librarian, and repealing all Acts and parts of Acts in conflict therewith." Referred to Committee on Judiciary.

House Bill No. 146, introduced by Laubach: A Bill for an Act entitled: "An Act to amend Section 10,798, Revised Codes of Montana, 1935, relating to the publication of political advertisements." Referred to Committee on Development and Publicity.

House Bill No. 147, introduced by Gebhardt: A Bill for an Act entitled: "An Act to appropriate money for the payment of assessment and judgment against the State of Montana for \$1,652.13 made on account of Custer Drainage District in Yellowstone County, Montana, on cost of construction of drainage system and directing the State Auditor to draw his warrant in payment of said assessment and judgment." Referred to Committee on Appropriations.

House Bill No. 148, introduced by Gebhardt: A Bill for an Act entitled: "An Act to appropriate money for the payment of assessment and judgment against the State of Montana for Six Thousand Four Hundred Dollars (\$6,400.00) made on account of Holling Drainage District in Yellowstone County, Montana, on cost of construction of drain and directing the State Auditor to draw his warrant in payment of said assessment and judgment." Referred to Committee on Appropriations.

House Bill No. 149, introduced by Freshman by request: A Bill for an Act entitled: "An Act to amend Section 5668.38 of the Revised Codes

of Montana of 1935, relating to tax levy for establishing and maintaining airports—bonds, by authorizing a license tax.” Referred to Committee on Aviation.

House Bill No. 150, introduced by Committee on Appropriations: A Bill for an Act entitled: “An Act to appropriate money from the State General Fund for the salary of bandmaster and instructor at the Montana State Prison, and to prevent the termination of the W. A. Clark Trust for the benefit of prisoners at said institution, for the biennium, July 1, 1939, to June 30, 1941.” Referred to Committee on Appropriations.

House Bill No. 151, introduced by Education Commission: A Bill for an Act entitled: “An Act amending paragraph (7), of Section 1, of Chapter 87, of the Laws of the Twenty-fifth Legislative Assembly of 1937, relating to the ‘definition’ of ‘prior service’; amending paragraph 3 (a), of Section 8, of Chapter 87, of the Laws of the Twenty-fifth Legislative Assembly of 1937, relating to the ‘Pension Accumulation Fund’ and providing for an appropriation therefor; amending paragraph 5 (c), of Section 8, of Chapter 87, of the Laws of the Twenty-fifth Legislative Assembly of 1937, relating to the ‘Expense Fund’, and providing an appropriation therefor; amending paragraph (b), of Section 10, of Chapter 87, of the Laws of the Twenty-fifth Legislative Assembly of 1937, relating to the ‘collection of contributions by members’ and providing penalties.” Referred to Committee on Appropriations.

House Bill No. 152, introduced by Lambert, Ekern, Hess and James by request: A Bill for an Act entitled: “An Act providing for the registration of mechanical musical instruments as herein defined, reporting to the State Board of Equalization on the gross proceeds therefrom, and providing for the payment of an operating fee based on the gross revenue and the disposition of said fee, and providing penalties for violations thereof.” Referred to Committee on Revenue and Taxation.

House Bill No. 153, introduced by Lambert, Ekern and Hess: A Bill for an Act entitled: “An Act providing for the registration by the owner of service rendering devices or machines which require a person to insert a coin or coins in a container before the service is rendered; providing for the reporting of the gross revenue derived from said devices or machines for services rendered wholly within the State of Montana; providing for the payment of an operating fee based on said gross revenue; providing for the disposition of said operating fee by the State Board of Equalization and State Treasurer of Montana; and providing penalties for the violation of this Act.” Referred to Committee on Revenue and Taxation.

House Bill No. 154, introduced by Lambert, Ekern and Hess: A Bill for an Act entitled: “An Act providing for the registration of automatic merchandise vending machines; providing for the reporting to the State Board of Equalization the gross revenue derived from said automatic merchandise vending machines; providing for the payment of an operating fee based on said gross revenue; providing for the disposition of said operating fee by the State Board of Equalization and State Treasurer of Montana; and providing penalties for the violation of this Act.” Referred to Committee on Revenue and Taxation.

House Bill No. 155, introduced by Padbury and Smith: A Bill for an Act entitled: “An Act to abolish the Montana State Fair: Authorizing the transfer of State Fair property to the County of Lewis and Clark; reserving certain property to the State Highway Commission and permitting use of certain grounds by the State Fish and Game Commission for the purpose of maintaining a game farm, and repealing Sections 1580 to 1582 inclusive, and Sections 3640 to 3644 inclusive, Revised Codes of Montana, 1935, and all other Acts and parts of Acts in conflict herewith.” Referred to Committee on Fairs and Expositions.

House Bill No. 156, introduced by Sorte, Clark and Hammond: A Bill for an Act entitled: “An Act to amend Section 1805.89, Revised Codes of

Montana, 1935, relating to reinstatement of canceled certificates of purchase of State Land and effect thereof." Referred to Committee on State Lands.

House Bill No. 157, introduced by Sorte, Clark and Hammond: A Bill for an Act entitled: "An Act to amend Section 1805.87, Revised Codes of Montana, 1935, relating to payments of installments on certificate of purchase of State Lands and penalty interest on delinquent installments." Referred to Committee on State Lands.

House Bill No. 158, introduced by Sorte, Clark and Hammond: A Bill for an Act entitled: "An Act to amend Section 1805.88, Revised Codes of Montana, 1935, relating to default in payment of installments on certificate of purchase of State Lands and effect thereof." Referred to Committee on State Lands.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bill correctly enrolled: House Bill No. 7 and House Joint Memorial No. 4.

ANTRIM, Chairman.

Report adopted.

I have examined House Bill No. 7, introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Joint Memorial No. 4, introduced by me and find the same to be correct.

ARMSTRONG.

The Speaker signed House Bill No. 7 and House Joint Memorial No. 4 in open session.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Joint Resolution No. 1, was concurred in by the following vote:

Ayes: Acton, Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Cannon, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Laubach, Leuthold, Liggett, Long, Longenecker, Lowe, Lynch, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Rice, Ryan, Scofield, Siegling, Smith, Spiegel, Stafford, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 78.

Absent and not voting: Acher, Anderson (Phillips), Byrne, Clark, D'Ewart, Dougherty, Freshman, Friedl, Goodwin, Horrigan, Lambert, Lehrkind, Lippard, Listug, Loughran, Malee, McFtridge, Metlen, Moss (Flathead), Potter, Roehl, Sorte, Stevens and Stromnes. Total 24.

House Bill No. 89, was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness,

James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Long, Longenecker, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, McGee and Mr. Speaker. Total 84.

Absent and not voting: Acher, Byrne, D'Ewart, Freshman, Friedl, Goodwin, Horrigan, Lehrkind, Lippard, Listug, Loughran, Malee, Metlen, Moss (Flathead), Potter, Smith, Stromnes and Woods. Total 18.

House Bill No. 76, was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Bjerneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Gebhardt, Hageman, Hammond, Hess, Hoiness, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Long, Longenecker, Lowe, Lynch, Malee, Martin, McCarthy, McFatridge, McGee, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Rice, Roehl, Ryan, Scofield, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods Zuck and Mr. Speaker. Total 77.

Noes: Anderson (Cascade), Green, James, McClain, McKenna, McLeod, Siegling, and Vanderbeck. Total 8.

Absent and not voting: Acher, Berthot, Byrne, D'Ewart, Freshman, Friedl, Goodwin, Horrigan, Lehrkind, Lippard, Listug, Loughran, Metlen, Moss (Flathead), Potter, Smith, Stromnes. Total 17.

MOTIONS AND RESOLUTIONS

It was moved by Leuthold, duly seconded and carried, that House Bill No. 70, be taken from General Orders and re-referred to the Committee on Appropriations.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole, for consideration of General Orders, under the rules of the previous sitting.

McLeod in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 59 be re-referred to the Committee on Judiciary.

That House Bill No. 88 do pass.

McLEOD, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Stromnes, duly seconded and carried, that House Bill No. 116 be taken from the Committee on Printing, and re-referred to the Committee on Judiciary.

It was moved by McLeod, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President on this day appointed Senators Plank, Keeley, and Ecton as the Senate Conference Committee to act with the committee appointed by the House to consider Senate amendments on House Joint Resolution No. 2.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

REPORTS OF SELECT COMMITTEES

We, your Joint Conference Committee, appointed to confer on Senate amendments to House Joint Resolution No. 2, beg leave to report as follows:

That all Senate amendments to House Joint Resolution No. 2 be concurred in.

For the Senate:

PLANK,
KEELEY,
ECTON.

For the House:

LAMBERT,
ANDERSON (Phillips),
STROMNES.

On motion, duly seconded, the report of the Conference Committee on Senate Amendments to House Joint Resolution No. 2, was adopted by the following vote:

Ayes: Acton, Anderson (Phillips), Aronson, Baker, Beck, Bjorneby, Bower, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Freshman, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lippard, Long, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McKenna, Melin, Metlin, Morrison, Moss (Flathead), Newell, Parker (Wibaux), Parker (Flathead), Petersen, Reed Rice, Roehl, Scofield, Stafford, Stevens, Stromnes, Vanderbeck, Williams, Wilson, Woods. Total 61.

Noes: Anderson (Cascade), Balgord, Beadle, Berthot, Brower, Brown, Flynn, Liggett, Longenecker, Malee, McGee, McLeod, Miles, Moss (Custer), Murray, O'Connor, Padbury, Ryan, Siegling, Smith, Spiegel, Stewart, Sullivan, Tyler, Watson, Wenger, Zuck and Mr. Speaker. Total 28.

Absent and not voting: Acher, Antrim, Armstrong, Cannon, Friedl, Goodwin, Horrigan, Lehrkind, Leuthold, Listug, Loughran, Potter, Sorte, Total 13.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills No. 33, 88 and 37.

RICE, Chairman.

Report adopted.

NOTICES

Authors gave notice, that they would on tomorrow or some subsequent day introduce the following:

By Stromnes: A Bill for an Act entitled: "An Act regulating noxious gases, fumes, or dusts in business establishments; making the presence

thereof unlawful; empowering the State Board of Health to set up standards; requiring the local Health Officer to investigate conditions; and repealing Acts in conflict herewith."

By Hess by request: A Bill for an Act entitled: "An Act to amend Section 5022, Revised Codes of Montana, 1935, fixing the salary of City Treasurer and providing that additional salary may be paid where city owns and operates public utility or utilities and receives revenue therefrom."

By Judiciary Committee by request: A Bill for an Act entitled: "An Act to amend Section 4929 of the Revised Codes of Montana, 1935, relating to the salaries of Justices of the Peace in certain townships, and office hours and quarters; and providing the salaries of Justices of the Peace shall be based on the population of the township, and that in certain townships wherein a municipal court is established, the compensation shall be fees and not a fixed salary."

By Committee on Livestock and Public Ranges: A Bill for an Act entitled: "An Act relating to brand inspection of livestock being shipped or trailed; designation of place and furnishing of facilities by County Commissioners for unloading and inspecting livestock; providing penalty for violation thereof and repealing all Acts and parts of Acts in conflict therewith."

By Stromnes by request: A Bill for an Act entitled: "An Act to amend Section 4932, Revised Codes of Montana, 1935, relating to the fees of constables and allowing salaries in certain townships; and providing that in certain townships wherein a municipal court is established the provisions as to salary shall not apply."

By Stromnes: A Bill for an Act entitled: "An Act relating to the right to inherit of persons not citizens of the United States and residing in foreign countries; providing for the disposition of money and property which but for the provisions of this Act would have been transferred to certain of such persons; prescribing the duties of executors; administrators and certain county officers in regard thereto; and repealing all Acts and parts of Acts in conflict therewith."

By Stromnes by request: A Bill for an Act entitled: "An Act to amend Section 9390, Revised Codes of Montana, 1935, relating to Bills of Exceptions; providing the time within which a Bill of Exceptions must be prepared and filed and served upon the adverse party, the time within which amendments may be proposed and filed, and providing for the settling of the Bill."

By Melin, Martin and Beadle: A Bill for an Act entitled: "An Act amending Sections 8883, 8885, 8886, 8887, 8889, 8890, 8893, 8894 and 8895, Revised Codes of Montana, 1935, defining juries and the qualifications of jurors: Making women eligible for jury service; providing for certain exemptions from jury service; and repealing all Acts and parts of Acts in conflict herewith."

By D'Ewart, Padbury and Aronson: A Bill for an Act entitled: "An Act to repeal an Act of the Second Legislative Assembly of the State of Montana, 1891, entitled 'An Act ceding to the United States jurisdiction of certain lands'; and to amend Section 23, Revised Codes of Montana, 1935, relating to the cession of jurisdiction over that part of Yellowstone National Park in the State of Montana; and repealing all Acts and parts of Acts in conflict herewith."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 1, respectfully report as follows: That Senate Bill No. 1 be concurred in.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 82, respectfully report as follows: That House Bill No. 82 do pass.

Report adopted.

SMITH, Vice-Chairman.

Mr. Speaker: We, the majority of your Committee on Insurance, having had under consideration House Bill No. 66, respectfully report as follows: That House Bill No. 66 do not pass.

FRESHMAN, Chairman.
DUNCAN,
ARMSTRONG,
BYRNE,
LIGGETT,
TYLER,
PADBURY,
LISTUG,
DUNN,
POTTER,

Mr. Speaker: We, the minority of your Committee on Insurance, having had under consideration House Bill No. 66, respectfully report as follows: That House Bill No. 66 do pass.

RICE,
HOINES,
BAKER.

It was moved by Freshman that the majority report be adopted.

On substitute motion, it was moved by Rice, duly seconded and carried, that the minority report be adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 107, respectfully report as follows: That House Bill No. 107 do pass.

Report adopted.

McCLAIN, Chairman.

MOTIONS AND RESOLUTIONS

House Resolution No. 1, introduced by Rice, Hess, DeDobbeleer, Hoiness, Byrne, Stafford, Zuck, Emswiler, Cole (Petroleum), Armstrong and Parker (Flathead). A Resolution commending members of the Congress of the United States for introducing a bill designed to guarantee to farmers the cost of production.

WHEREAS, Eighteen Senators and six Representatives have introduced in the Congress of the United States a bill designed to guarantee cost of production to farmers; and

WHEREAS, It is the sense of this House that such legislation is essential if the economic status of agriculture be raised to a parity with other industry; now, therefore

BE IT RESOLVED, That the House of Representatives of the Twenty-sixth Montana Legislative Assembly do hereby commend said members of Congress for their action in introducing this legislation, and that the Clerk of this House be and is hereby directed to convey to each of said National Legislators this expression of commendation.

It was moved by Byrne, duly seconded and carried, that the motion authorizing an Investigating Committee of fifteen members, adopted on the Tenth Legislative Day be amended to read as follows:

"I move that the Speaker of the House be hereby authorized and directed to appoint a committee from this House not to exceed fifteen

(15) in number, to act as a Committee of this House for the purpose of investigating, and that it do investigate all elective and appointive State Officers, Offices, Boards, Bureaus, Departments, Commissions and Institutions, and that said Committee be empowered by suitable process of this House to hold hearings, subpoena witnesses, and appoint sub-committees from its membership with like authority; that suitable quarters and all necessary aid be provided said committee for ascertaining the facts as to said Officers, Offices, Boards, Bureaus, Departments, Commissions and Institutions; that all items of expense be returned by said Committee with its report, and that the Sergeant-at-Arms of the House of Representatives pay, and he is hereby authorized and directed to pay any and all expenses necessarily incurred by said Committee, upon the presentation to him of proper voucher signed by the Chairman of said Committee and the Speaker of the House; and that said committee report its findings back to this House not later than the Fiftieth Legislative day."

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Bill No. 159, introduced by Stromnes: A Bill for an Act entitled: "An Act relating to electric cooperative, non-profit, membership corporations organized to engage in rural electrification." Referred to Committee on Corporations other than Municipal.

House Bill No. 160, introduced by Smith: A Bill for an Act entitled: "An Act to amend Section 1741.5 of Chapter 182 of the Laws of 1937 relating to the salaries of Highway Patrolmen." Referred to Committee on Highways and Highway Transportation.

House Joint Memorial No. 11, introduced by Lambert: A Memorial requesting Congress of the United States to pass a bill granting certain public lands to the State of Montana for the use and benefit of the Northern Montana Agricultural and Manual Training School also designated as the Northern Montana College. Referred to the Committee on State Institutions, Public Buildings and Grounds.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 37 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Laubach, Liggett, Listug, Long, Longenecker, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatriidge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Flathead), Petersen, Reed, Rice, Ryan, Scofield, Siegling, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Spiegel and Mr. Speaker. Total 79.

Noes: Gebhardt. Total 1.

Absent and not voting: Acher, Antrim, Armstrong, Byrne, Cannon, Dougherty, Friedl, Goodwin, Horrigan, Lambert, Lehrkind, Leuthold, Lip-pard, Loughran, Metlen, Moss (Flathead), Parker (Wibaux), Potter, Roehl, Smith, Sorte and Stromnes. Total 22.

House Bill No. 33 was passed by the following vote:

Ayes: Acton, Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Ekern, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Laubach, Liggett, Listug, Long, Longenecker, Lowe, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Petersen, Reed, Rice, Ryan, Scofield, Siegling, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 77.

Absent and not voting: Acher, Anderson (Phillips), Antrim, Armstrong, Byrne, Cannon, Dunn, Friedl, Goodwin, Horrgan, Lambert, Lehrkind, Leuthold, Lippard, Loughran, Lynch, Metlen, Moss (Flathead), Parker (Wibaux), Parker (Flathead), Potter, Roehl, Smith, Sorte and Stromnes. Total 25.

House Bill No. 88, was passed by the following vote:

Ayes: Aronson, Balgord, Berthot, Bjorneby, Brower, Cole (Petroleum), Cole (Prairie), Collins, Daniel, D'Ewart, Duncan, Dunn, Ekern, Findlater, Gebhardt, Green, Hageman, Hammond, Hoiness, James, Kellogg, Kirscher, Laubach, Liggett, Listug, Longenecker, Lowe, Lynch, Malee, McCarthy, McFatrige, McGee, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Rice, Ryan, Scofield, Siegling, Stafford, Stewart, Sullivan, Wenger, Williams, Wilson, Woods, Zuck, Brown and Mr. Speaker. Total 55.

Noes: Acton, Baker, Beck, Bower, Clark, DeDobbeleer, Dougherty, Emswiler, Flynn, Freshman, Hess, Long, Martin, McClain, McKenna, Petersen, Reed, Spiegel, Stevens, Tyler, Vanderback and Watson. Total 22.

Absent and not voting: Acher, Anderson (Phillips), Antrim, Armstrong, Beadle, Byrne, Cannon, Friedl, Goodwin, Horrgan, Lambert, Lehrkind, Leuthold, Lippard, Loughran, Metlen, Moss (Flathead), Parker (Wibaux), Parker (Flathead), Potter, Roehl, Smith, Sorte, Stromnes. Total 24.

Passed: Anderson (Cascade). Total 1.

MOTIONS AND RESOLUTIONS

It was moved by Rice, duly seconded and carried, that House Bill No. 105, be taken from General Orders and re-referred to the Committee on Livestock and Public Ranges.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

McLeod in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bills Nos. 92, 93, 85, 118 and 38 do pass.

That Senate Joint Memorial No. 4 be concurred in.

That consideration of House Bill No. 32 be passed for the day.

That Substitute House Bill No. 3, be amended as follows: Amend Section 2 in line 1, by inserting after the word "Firm" the word "or" and after the word "Partnership" strike out the words "or corporation"; and

in line 4 after the word "therein" strike out the word "and" and insert the word "or" in lieu thereof, and as amended do pass.

That House Joint Resolution No. 3 do pass.

That House Joint Memorial No. 10 do pass.

That Senate Bill No. 1 be concurred in.

McLEOD, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment recommend that the following be taken off the House payroll:

Charles F. Littleton—Janitor.
 Gordon Buck—Clerk.
 William H. McKinley—Clerk.
 Peter Rorvick—Doorkeeper.
 Ruth Schlenske—Telephone Operator.
 Earl Cooke—Clerk.
 L. W. Plummer—Watchman.
 E. E. Taylor—Clerk.
 Frank Marr—Doorkeeper.
 P. J. Bonner—Watchman.
 Charles A. Reed—Clerk.
 Leulla Watson—Clerk.
 Jack McGuire—Clerk.
 Howard Harper—Clerk.
 Bill McGlynn—Janitor.
 Matt Oja—Clerk.
 John Sherman—Clerk.
 John Nelson—Cloak Room Watchman.
 Doris Nimmons—Clerk.
 Steve A. Holt—Clerk.
 Wayne Bratten—Clerk.
 Woodrow Glenney—Clerk.
 Walter A. Hunter—Clerk.

LAMBERT, Chairman.

It was moved by Lambert, that the report be adopted.

On substitute motion, it was moved by McLeod, duly seconded, that the report be returned to the Committee on Employment with definite instructions to remove the names of E. C. Taylor, Jack McGuire and Matt Oja. Motion was lost.

A roll call vote was demanded by the required number, to be entered in the Journal, on the motion by Lambert to adopt the Committee Report. Motion carried by the following vote:

Ayes: Acton, Anderson (Phillips), Baker, Balgord, Beck, Berthot, Bjorneby, Bower, Brower, Byrne, Cole (Prairie), DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, James, Kirscher, Lambert, Laubach, Liggett, Lippard, Listug, Lowe, Lynch, Malee, Martin, McFatridge, Morrison, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Rice, Roehl, Scofield, Smith, Sorte, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 61.

Noes: Anderson (Cascade), Aronson, Beadle, Brown, Clark, Cole (Petroleum), Collins, Daniel, Kellogg, Long, Longenecker, McCarthy, McClain, McGee, McKenna, McLeod, Metlen, Miles, Moss (Custer), Murray, Ryan, Siegling, Spiegel, Stafford, Stevens and Sullivan. Total 26.

Absent and not voting: Acher, Antrim, Armstrong, Cannon, Freshman, Friedl, Goodwin, Horrigan, Lehrkind, Leuthold, Loughran, Melin, Moss (Flathead), Potter, Stromnes. Total 15.

MOTIONS AND RESOLUTIONS

It was moved by Spiegel, duly seconded and carried, that House Bill No. 32, be taken from General Orders and re-referred to the Committee on Revenue and Taxation.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Monday, January 30th, 1939, at 2:00 o'clock P. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

TWENTY-NINTH DAY

House of Representatives,
Helena, Montana,
January 30, 1939.

House convened, pursuant to adjournment, at 2:00 o'clock P. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members were present except the following who were excused: Acher, Cannon, Friedl and Goodwin.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-seventh Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 120, 126 and House Joint Memorial No. 6, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

NOTICES

By Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain of the State's institutions, for the period beginning July 1, 1939, and ending June 30, 1941."

By Committee on Affairs of Cities: A Bill for an Act entitled: "An Act to amend Section 5401, Revised Codes of Montana, 1935, relating to elections to submit the question of reorganization of the form of city government and providing for a petition by the electors of a municipality requesting that the question be submitted at an election."

By D'Ewart by request: A Bill for an Act entitled: "An Act to create the office of Medical Referee and to define his powers, duties and compensation."

By Committee on Highways and Highway Transportation: A Bill for an Act entitled: "An Act relating to misleading sign or direction boards and advertising signs along the highways in the State of Montana and giving the Montana Highway Patrol certain powers in connection therewith."

By Leuthold: A Bill for an Act entitled: "An Act to amend Section 4736 of the Revised Codes of Montana, 1935, relating to the hours during which certain county offices shall be kept open for business."

By Lambert: A Bill for an Act entitled: "An Act relating to the removal from the State of Montana of persons convicted of crimes, feeble

minded persons, insane persons and poor and indigent persons, who are not residents of the State of Montana or who are aliens, defining terms used therein; empowering the Attorney General to make reciprocal agreements with other states in regard thereto and repealing Acts and parts of Acts in conflict therewith."

By Ryan: A Bill for an Act entitled: "An Act amending paragraph numbered Eleven (11) of Section 1622 of the Revised Codes of Montana 1935, relating to the powers and duties of County Commissioners inspecting highways and to repeal Section 1622.1, relating to County Surveyors' duties in counties having a total registered vote of fifteen thousand or over at the last general election and repealing Section 1622.2 of the Revised Codes of Montana, 1935, relating to road supervisors and repealing all Acts and parts of Acts in conflict herewith."

By Emswiler, Longenecker and Antrim: A Bill for an Act entitled: "An Act relating to the general supervision of the State Examiners over County Treasurers."

By Emswiler, Longenecker and Antrim: A Bill for an Act entitled: "An Act to amend Section 2182, Revised Codes of Montana, 1935, relating to publication of notice of tax sale."

By Emswiler, Longenecker and Antrim: A Bill for an Act entitled: "An Act to amend Section 4880, Revised Codes of Montana, 1935, relating to the maximum number of Deputy Treasurers, Assessors, Auditors and County Attorneys."

By Smith by request: A Bill for an Act entitled: "An Act to amend Section 12381, Revised Codes of Montana, 1935, relating to the duties and powers of the Coroner."

By McCarthy, Brown, DeDobbeleer and Beadle: An Act to amend the title of Chapter 96 of the Laws of 1915, the Fourteenth Legislative Assembly entitled: "An Act providing for the protection and safety of workmen in all places of employment in all inherently hazardous works and occupations; providing a schedule of compensation for injuries to or death of workmen and methods of paying the same, and prescribing the liability of employers who do not elect to pay such compensation; establishing the Industrial Accident Board, defining its powers and duties; and providing for a review of its awards" as amended, being Sections 2816 to 3033 inclusive of the Revised Codes of Montana of 1935, and adding thereto a new part to stand as Part VI, and to consist of Sections 1 to 12 inclusive.

By Moss (Custer): A Bill for an Act entitled: "An Act to amend Section 1520, of the Revised Codes of Montana of 1935, relating to admission of patients to the Montana State Tuberculosis Sanitarium, and eliminating the qualification of citizenship as a prerequisite to such admission."

By Brown: A Bill for an Act entitled: "An Act to amend Section 45, of the Revised Codes of Montana, 1935, relating to the number of representatives from each county."

By Sullivan: A Bill for an Act entitled: "An Act to amend Section 1, Chapter 118, Laws of 1937, relating to calling for bids and letting contracts for public printing and repealing all Acts and parts of Acts in conflict therewith."

By Daniel: A Bill for an Act entitled: "An Act to amend Section 1010, Revised Codes of Montana, 1935, relating to transportation, board, rent, tuition of pupils of any school district or districts of the State of Montana and providing for furnishing transportation, rent, board and tuition for such pupils."

By Leuthold, Zuck, Morrison, Findlater and Armstrong: A Bill for an Act entitled: "An Act providing for the increase of the rate of taxation on real and personal property for state purposes of not to exceed three

(3) mills on each dollar of valuation, in addition to the levy which is now or may be hereafter authorized by Section 9 of Article 12 of the Constitution of the State of Montana, for a period of ten years beginning with the year 1941, and to authorize and empower the Legislative Assembly to levy a tax for each year during such period of an additional levy of not to exceed three mills on each dollar of valuation for the support, maintenance and improvement of the institutions now comprised in the Greater University of Montana, together with the Agricultural Experiment Station and its branches and substations, and the Agricultural Extension Service, including the soil survey and grain laboratory and to appropriate so much of the money derived therefrom for each year during said period as may be necessary for said purposes, and providing for the submission of this Act to the qualified electors of the State of Montana at the next general election, describing the form of ballots to be used and the duties of the Secretary of the State of Montana relative to the submission of said Act to the qualified electors of said State of Montana relative to the submission of said Act to the qualified electors of said state."

By Hammond and Clark: A Bill for an Act entitled: "An Act providing for the re-appraisalment of state lands when a certificate of purchase has been previously issued; to provide that by reason of said re-appraisalment certain credits shall be allowed upon the purchase price thereof; to authorize the State Land Board to remit penalties and interest which may have accrued upon delinquent payments due upon the certificate of purchase thereof; and to repeal all Acts and parts of Acts in conflict herewith."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: Substitute House Bill No. 3, House Bills No. 38, 92 and 118; House Joint Resolution No. 3; House Joint Memorial No. 10.

Report adopted.

RICE, Chairman.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bills Nos. 85 and 93, beg leave to recommend that the same be considered correctly engrossed.

Report adopted.

RICE, Chairman.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration House Bill No. 68, respectfully report as follows: That House Bill No. 68 do not pass.

MOSS (Flathead),
Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways having had under consideration House Bill No. 73, respectfully report as follows: That House Bill No. 73, be amended as follows:

In Section 1, line 25 add after the word used "provided that counties, incorporated cities, and towns of this State shall be entitled to said refund or drawback of said tax by any such county, city or town upon gasoline used by it in the performance of any of its governmental and proprietary functions, or either, imposed or authorized by law, including construction, maintenance and repair of all roads, highways and public places within the county limits and all streets, avenues, alleys and other public places within the corporate limits of such city or town"; and in line 25 of Section 1, after the words "provided," add "further," and as amended, do pass.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration House Bill No. 112, respectfully report as follows: That House Bill No. 112 be amended as follows:

Amend Section 1, by adding at the end of the section: "Providing, however, nothing in this Act shall prevent the elimination of dangerous curves or hazardous sections."

MOSS (Flathead),
Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration House Bill No. 77, respectfully report as follows: That House Bill No. 77 do pass and submit herewith House Resolution for consideration. By Highway Committee:

WHEREAS, The Committee on Highways and Highway Transportation has seen fit to recommend House Bill No. 77 do pass, which Bill asks that the Rogers Pass Road be not built, because the contemplated construction calls for ten miles on the top of the Continental Divide is not connected at either end with the Federal Aid Highway.

WHEREAS, It appears evident from the hearing that the people of the Blackfoot valley are very much in need of better roads.

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Montana recommends to the Highway Department the construction of a road to start at Bonner and extend up the Blackfoot valley, construction to proceed as rapidly as funds are available.

It was moved by Lehrkind that the report of the committee and the resolution be adopted. On substitute motion, it was moved by Stromnes, duly seconded, that consideration of the committee report and resolution be indefinitely postponed. Motion was lost.

On substitute motion, it was moved by McLeod, duly seconded, that the report of the Committee be tabled.

A roll call vote, to be entered in the Journal, was demanded by the required number and motion carried by the following vote:

Ayes: Acton, Anderson (Cascade), Antrim, Armstrong, Baker, Beadle, Berthot, Bjorneby, Bower, Brown, Cole (Petroleum), Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Fynn, Freshman, Green, Hageman, Hess, James, Lippard, Listug, Long, Lowe, Lynch, Martin, McClain, McKenna, McLeod, Melin, Moss (Flathead), Moss (Custer), Murray, Parker (Flathead), Petersen, Reed, Roehl, Ryan, Siegling, Sorte, Stafford, Stevens, Stromnes, Sullivan, Tyler, Watson, Wenger, Zuck, Mr. Speaker. Total 52.

Noes: Anderson (Phillips), Aronson, Balgord, Beck, Brower, Clark, Cole (Prairie), Collins, D'Ewart, Emswiler, Findlater, Gebhardt, Hammond, Hoiness, Horrigan, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Liggett, Longenecker, Loughran, Malee, McFatriddle, McGee, Metlen, Miles, Morrison, Newell, O'Connor, Padbury, Parker (Wibaux), Potter, Rice, Scofield, Smith, Spiegel, Stewart, Vanderbeck, Williams, Wilson, Woods. Total 43.

Absent: Acher, Byrne, Cannon, Friedl, Goodwin, McCarthy. Total 6.

Not voting: Lambert. Total 1.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 32, respectfully report as follows: That House Bill No. 32 do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 46, respectfully report as follows: That House Bill No. 46 do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 23, respectfully report as follows: That House Bill No. 23 do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 83, respectfully report as follows: That House Bill No. 83 be referred to the Judiciary Committee.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 18, respectfully report as follows: That House Bill No. 18 do not pass, but that substitute House Bill No. 18: A Bill for an Act entitled: "An Act prescribing the hours of labor for persons employed in or about restaurants, cafes, lunch counters and other commercial eating establishments; providing exemptions therefrom; providing penalties for a violation thereof and repealing all Acts and parts of Acts in conflict herewith." Do pass.

SPIEGEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices having had under consideration House Bill No. 130, respectfully report as follows: That House Bill No. 130 do pass.

FLYNN, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices having had under consideration House Bill No. 95, respectfully report as follows: That House Bill No. 95 do not pass.

FLYNN, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 150, respectfully report as follows: That House Bill No. 150 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration House Bill No. 90, respectfully report as follows: That House Bill No. 90 do not pass.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 140, respectfully report as follows: That House Bill No. 140 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Employment recommend that the following be re-hired:

Walter Niland—Clerk.

Matt Oja—Clerk.

Merton Hall—Typist.

Steve Holt—Clerk.

Walter A. Hunter—Clerk.

Jack McGuire—Clerk.

LAMBERT, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker: This is to advise that the Governor has this day approved; House Bill No. 5 by Bjorneby; House Bill No. 7 by Appropriations Committee; House Joint Memorial No. 4 by Armstrong, and the same have been delivered to the Secretary of State.

Yours respectfully,

JOHN J. JEWELL,

Secretary to the Governor.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Bill No. 160, introduced by Smith: A Bill for an Act entitled: "An Act to amend Section 1741.5 of Chapter 182 of the Laws of 1937, relating to the salaries of Highway Patrolmen." Referred to Committee on Highways and Highway Transportation.

House Bill No. 161, introduced by Melin, Martin and Beadle: A Bill for an Act entitled: "An Act amending Sections 8883, 8885, 8886, 8887, 8889, 8890, 8893, 8894 and 8895, Revised Codes of Montana, 1935, defining juries and the qualifications of jurors; making women eligible for jury service; providing for certain exemptions from jury service; and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Equal Suffrage.

House Bill No. 162, introduced by Hoiness and Malee: A Bill for an Act entitled: "An Act in relation to arson and the burning of property to defraud an insurer and to repeal Sections 11337, 11338, 11339, 11340, 11341, 11342, 11343, 11344, 11345 and 11346 of the Revised Codes of Montana of 1935." Referred to Committee on Judiciary.

House Bill No. 163, introduced by Hess: A Bill for an Act entitled: "An Act to amend Section 5022, Revised Codes of Montana, 1935, fixing the salary of City Treasurer and providing that additional salary may be paid where city owns and operates public utility or utilities and receives revenue therefrom." Referred to Committee on Affairs of Cities.

House Bill No. 164, introduced by Hammond, Vanderbeck, Murray, Malee, Padbury and Byrne: A Bill for an Act entitled: "An Act providing for the regulation of the sale of food and food stuffs, providing for a State Board of Food Distributors and defining its powers and duties, setting forth the requirements for licensing of food stores, restaurants, and other places, definitions and penalties and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 165, introduced by Hammond, Vanderbeck, Padbury, Byrne, Murray and Malee: A Bill for an Act entitled: "An Act to amend Section 12 of Chapter 80 of the Session Laws of Montana of 1937, so as to authorize the Montana Trade Commission to enforce the provisions of said act and to provide procedure therefor and also to amend said Chapter 80, by incorporating therein in the proper order, four new sections to be known

as Section 12A, 12B, 12C and 12D, providing for the procedure for the establishment of cost surveys, conferring power upon the Montana Trade Commission to conduct hearings and investigations and providing the method of procedure therefor, making unlawful the changing, altering, substituting or falsifying of invoices and providing penalties therefor and creating the Unfair Practice Act enforcement fund and providing for the transfer to such fund of a percentage of the store license fee receipts and for the expenditure of such fund for the cost and expenses incurred by the Montana Trade Commission in the performance of its duties under said chapter." Referred to Committee on Judiciary.

House Bill No. 166, introduced by Stromnes, by request: A Bill for an Act entitled: "An Act to amend Section 4932, Revised Codes of Montana, 1935, relating to the fees of constables and allowing salaries in certain townships; and providing that in certain townships wherein a municipal court is established the provisions as to salary shall not apply." Referred to Committee on Townships and Counties.

House Bill No. 167, introduced by Stromnes by request: A Bill for an Act entitled: "An Act to amend Section 9390, Revised Codes of Montana, 1935, relating to Bills of exceptions; providing the time within which a Bill of Exceptions must be prepared and filed and served upon the adverse party; the time within which amendments may be proposed and filed; and providing for the settling of the Bill." Referred to Committee on Judiciary.

House Bill No. 168, introduced by Committee on Livestock and Public Ranges: A Bill for an Act entitled: "An Act relating to brand inspection of livestock being shipped or trailed; designation of place and furnishing of facilities by County Commissioners for unloading and inspecting livestock; providing penalty for violation thereof and repealing all Acts and parts of Acts in conflict therewith." Referred to Committee on Livestock and Public Ranges.

House Bill No. 169, introduced by Judiciary Committee by request: A Bill for an Act entitled: "An Act to amend Section 4929 of the Revised Codes of Montana, 1935, relating to the salaries of Justices of the Peace in certain townships, and office hours and quarters; and providing the salaries of Justices of the Peace shall be based on the population of the township, and that in certain townships wherein a municipal court is established, the compensation shall be fees and not a fixed salary." Referred to Committee on Townships and Counties.

House Bill No. 170, introduced by D'Ewart, Padbury, Aronson and Newell: A Bill for an Act entitled: "An Act to repeal an Act of the Second Legislative Assembly of the State of Montana, 1891, entitled 'an Act ceding to the United States jurisdiction of certain lands'; and to amend Section 23, Revised Codes of Montana, 1935, relating to the cession of jurisdiction over that part of Yellowstone National Park in the State of Montana; and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on State Lands.

House Bill No. 171, introduced by Melin by request and McGee: A Bill for an Act entitled: "An Act to amend Section 5711 of the Revised Codes of Montana, 1935, relating to the county in which a marriage license must be obtained and duties of the Clerk of the District Court." Referred to Committee on Judiciary.

House Bill No. 172, introduced by Spiegel, Ryan, Cannon and Murray: A Bill for an Act entitled: "An Act creating the Montana Labor Relations Board; prescribing the powers and duties of the Montana Labor Relations Board; securing to labor the right to bargain collectively; prescribing certain rights and duties of employees; prohibiting unfair labor practices on the part of employers; providing for the investigation, hearing, and disposition of labor disputes and unfair labor practices by the Montana Labor Relations Board; authorizing the Montana Labor Relations Board to petition the Montana Supreme Court to enforce the orders of the board; pro-

viding aggrieved persons may obtain writs of review from the Montana Supreme Court reviewing orders of the board; authorizing issuance of subpoenas and enforcing attendance of witnesses and taking of testimony by the Montana Labor Relations Board and providing for the manner of issuing subpoenas and enforcing attendance at hearings of the board; providing the Montana Labor Relations Board may obtain data from other State Boards; authorizing the Montana Labor Relations Board to cooperate with the National Labor Relations Board; defining the terms used in the Act; providing penalties for violation of the provisions of this Act; appropriating funds to put into effect the provisions of this Act; repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Labor.

House Bill No. 173, introduced by McLeod and Murray: A Bill for an Act entitled: "An Act to provide vacations with pay for workers; providing penalty for violation thereof and repealing all Acts and parts of Acts in conflict therewith." Referred to Committee on Labor.

House Bill No. 174, introduced by McFatrige and Hoiness: A Bill for an Act entitled: "An Act to amend Section 4584 of the Revised Codes of Montana of 1935, relating to the assessment and apportionment of costs of rural improvement districts." Referred to Committee on Townships and Counties.

House Bill No. 175, introduced by Padbury and Smith: A Bill for an Act entitled: "An Act to amend Section 1916 of the Revised Codes of Montana of 1935, relating to the redemption of bonds before maturity which are held by the State Board of Land Commissioners as investments." Referred to Committee on State Boards and Offices.

House Bill No. 176, introduced by Daniel: A Bill for an Act entitled: "An Act to amend Section 1010, Revised Codes of Montana, 1935, relating to transportation, board, rent, tuition of pupils of any school district or districts of the State of Montana and providing for furnishing transportation, rent, board and tuition for such pupils." Referred to Committee on Education.

Senate Bill No. 20: Introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act forbidding the issuance or award of degrees of literary honors by any person or institution without first having secured the approval of the State Board of Education of the adequacy of the course of work or study offered." Referred to Committee on Education.

Senate Bill No. 13, introduced by Armstrong: A Bill for an Act entitled: "An Act to amend Sections 10400.18 and 10400.19 of the Revised Codes of Montana, 1935, relating to the powers, duties, compensation and expenses of special appraisers; their reports and hearings thereon." Referred to Committee on Judiciary.

Senate Bill No. 24, introduced by Haight: A Bill for an Act entitled: "An Act to amend Section Eleven of Chapter Eighty-four of the Session Laws of the Twenty-fifth Legislative Assembly of the State of Montana for 1937, relating to the sale of Liquor." Referred to Committee on Public Morals, Reforms and Charities.

Senate Joint Memorial No. 5, introduced by Nutt, Keeley, Harlen, Angvick, Mann, Campbell (Missoula), Kathan, Ruffcorn, Burke, Henderson, Arnold, Dahl, Plumber, Davis, Kroman and Bateman: "A Memorial to Congress of the United States of America requesting it to assist the beet sugar industry in Montana." Referred to Committee on Federal Relations.

THIRD READING

The following were read three several times, history and title agreed to and were disposed of as follows:

Senate Bill No. 1 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Ekern, Emswiler, Findlater, Flynn, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, McClain, McFatrige, McGee, Miles, Morrison, Moss (Custer), Murray, Newell, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stewart Tyler, Vanderbeck, Wenger, Williams, Wilson, Woods, Mr. Speaker. Total 69.

Noes: McLeod and Watson. Total 2.

Absent and not voting: Acher, Antrim, Armstrong, Byrne, Cannon, Cole (Prairie), Dunn, Freshman, Friedl, Gebhardt, Goodwin, Hess, Lehrkind, Leuthold, Malee, Martin, McCarthy, McKenna, Melin, Metlen, Moss (Flathead), O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Smith, Stevens, Stromnes, Sullivan, Zuck. Total 31.

Senate Joint Memorial No. 4 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Ekern, Emskiler, Findlater, Flynn, Freshman, Green, Hageman, Hammond, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, McClain, McFatrige, McGee, Miles, Morrison, Moss (Custer), Murray, Newell, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Brower, Horrigan and Mr. Speaker. Total 72.

Absent and not voting: Acher, Antrim, Armstrong, Aronson, Byrne, Cannon, Dunn, Friedl, Gebhardt, Goodwin, Hess, Lehrkind, Leuthold, Lippard, Malee, Martin, McCarthy, McKenna, McLeod, Melin, Metlin, Moss (Flathead), O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Smith, Stevens, Stromnes. Total 30.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Joint Resolution No. 2.

COLE, Vice-Chairman.

Report adopted.

I have examined House Joint Resolution No. 2 introduced by me and find the same to be correct.

LAMBERT, Chairman.

The Speaker signed House Joint Resolution No. 2 in open session.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Tuesday, January 31st, 1939, at 10:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

THIRTIETH DAY

House of Representatives,
Helena, Montana,
January 31, 1939.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.
Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members were present except the following who were excused: Acher, Friedl and Goodwin.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-ninth Legislative Day, find the same to be correct.
HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice, that they would on tomorrow or some subsequent day introduce the following:

By Hammond, Wenger and Listug: A Bill for an Act entitled: "An Act authorizing directors of corporations to issue bonds, debentures or other obligations convertible into stock and defining stockholders' rights in connection therewith."

By Newell, Wilson and O'Connor: A Bill for an Act entitled: "An Act to amend Section 4630.6 of the Revised Codes of Montana, 1935, as amended by Chapter 135 of the Legislative Assembly of the State of Montana, 1937, relating to bonds issued for certain purposes may be issued without holding an election, and repealing all Acts and parts of Acts in conflict herewith."

By O'Connor: A Bill for an Act entitled: "An Act relating to the sale of cigarettes, and cigarette papers, and wrappers and papers used and prepared for the making of cigarettes, and imposing taxes thereon; and the levy, assessment, collection, payment, and distribution of a tax thereon: providing for issuing licenses for the privilege of engaging in the business of the sale thereof, and providing for the levy, assessment, collection, payment, and distribution of a tax for the privilege of engaging in such business; providing for the regulation of the sales thereof, the enforcement of such tax and license, and penalty for violation of this Act; defining the duties of State and County officials, and designating the funds into which the proceeds derived from such licenses and stamps shall be paid."

By Horrigan, Woods and Stevens: A Bill for an Act entitled: "An Act to amend Section 10773, Section 10774, Section 10803, Section 10804 and Section 10810 Revised Codes of Montana, 1935; changing the limitations on the amounts a candidate may spend to procure his nomination or election; providing for judgments in election contest; defining persons who may contest and repealing all Acts and parts of Acts in conflict herewith."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 129, respectfully report as follows: That House Bill No. 129 do not pass.

DeDOBBELEER,
Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 141, respectfully report as follows: That House Bill No. 141 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 3, respectfully report as follows: That Senate Bill No. 3 be concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 134, respectfully report as follows: That House Bill No. 134 do not pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 99, respectfully report as follows: That House Bill No. 99 do not pass.

STROMNES, Chairman.

It was moved by Stromnes that the report of the Committee be adopted.

On substitute motion, it was moved by Murray, duly seconded, that House Bill No. 99 be printed and placed on General Orders. Motion was lost.

A roll call vote, to be entered in the Journal, was requested by the required number, on the adoption of the Committee report and the same was adopted by the following vote:

Ayes: Acton, Anderson (Phillips), Armstrong, Aronson, Baker, Balgord, Berthot, Bjerneby, Brower, Byrne, Cole (Petroleum), Cole (Prairie), Collins, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Gebhardt, Green, Hageman, Hammond, Hoiness, Kellogg, Laubach, Lehrkind, Leuthold, Lippard, Listug, Longenecker, Lowe, Lynch, McFatrige, Metlen, Moss (Flathead), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Roehl, Scofield, Siegling, Stafford, Stewart, Stromnes, Vanderbeck, Watson, Williams, Wilson, Woods. Total 54.

Noes: Anderson (Cascade), Antrim, Beadle, Beck, Bower, Brown, Cannon, Clark, Daniel, DeDobbeleer, Ekern, Hess, James, Lambert, Long, Loughran, Malee, Martin, McCarthy, McClain, McGee, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Petersen, Rice, Ryan, Sorte, Spiegel, Stevens, Sullivan, Tyler, Wenger, Zuck and Mr. Speaker. Total 38.

Absent and not voting: Acher, Freshman, Friedl, Goodwin, Liggett, McKenna and Smith. Total 7.

Passed: Flynn, Horrigan and Kirscher. Total 3.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 145, respectfully report as follows: That House Bill No. 145 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 75, respectfully report as follows: That House Bill No. 75 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 61, respectfully report as follows: That House Bill No. 61 do not pass.

STROMNES, Chairman.

It was moved by Stromnes, duly seconded and carried, that consideration of House Bill No. 61 be indefinitely postponed.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 69, respectfully report as follows: That House Bill No. 69 do not pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds, having had under consideration House Joint Memorial No. 11, respectfully report as follows: That House Joint Memorial No. 11 do pass.

WENGER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds, having had under consideration House Bill No. 125, respectfully report as follows: That House Bill No. 125 do pass.

WENGER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Aviation, having had under consideration Senate Bill No. 25, respectfully report as follows: That Senate Bill No. 25 be concurred in.

MORRISON, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by McClain, duly seconded and carried, that House Bill No. 120 be taken from General Orders and re-referred to the Committee on Affairs of Cities.

The following resolution was read, and on motion by DeDobbeleer, duly seconded, and carried, was adopted:

A RESOLUTION

WHEREAS, The House has been informed of the death of R. H. Friedl, father of the Honorable Paul Friedl, a member of this House from Valley County.

THEREFORE, BE IT RESOLVED, That this House expresses to its bereaved member sincere sympathy.

BE IT FURTHER RESOLVED, That this Resolution be entered upon the Journal, and a copy thereof, attested by the Chief Clerk of the House, be presented to the Honorable Paul Friedl.

On motion, duly seconded and carried, House Bill No. 123 was withdrawn from the Committee on Public Health and Sanitary Affairs and referred to the Committee on Townships and Counties.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees, all appropriation measures having been read at length:

House Bill No. 177, introduced by D'Ewart by request: A Bill for an Act entitled: "An Act to create the office of Medical Referee and to define his powers, duties and compensation. Referred to Committee on State Boards and Offices.

House Bill No. 178, introduced by Sullivan: A Bill for an Act entitled: "An Act to amend Section 1, Chapter 118, Laws of 1937, relating to calling for bids and letting contracts for public printing and repealing all Acts and parts of Acts in conflict therewith." Referred to Committee on Townships and Counties.

House Bill No. 179, introduced by Stromnes: A Bill for an Act entitled: "An Act regulating noxious gases, fumes, or dusts in business establishments; making the presence thereof; empowering the State Board

of Health to set up standards; requiring the local Health Officer to investigate conditions; and repealing Acts in conflict herewith." Referred to Committee on Public Health.

House Bill No. 180, introduced by McCarthy, Brown, DeDobbeleer, Beadle: A Bill for an Act entitled: An Act to amend the title of Chapter 96 of the Laws of 1915 the Fourteenth Legislative Assembly entitled: "An Act providing for the protection and safety of workmen in all places of employment in all inherently hazardous works and occupations; providing a schedule of compensation for injuries to or death of workmen and methods of paying the same, and prescribing the liability of employers who do not elect to pay such compensation; establishing the Industrial Accident Board, defining its powers and duties; and providing for a review of its awards" as amended, being Sections 2816 to 3033 inclusive of the Revised Codes of Montana of 1935, and adding thereto a new part to stand as Part VI, and to consist of Sections 1 to 12 inclusive." Referred to Committee on Public Health and Sanitary Affairs.

House Bill No. 181, introduced by Moss (Custer): A Bill for an Act entitled: "An Act to amend Section 1520, of the Revised Codes of Montana of 1935, relating to admission of patients to the Montana State Tuberculosis Sanitarium, and eliminating the qualification of citizenship as a prerequisite to such admission." Referred to Committee on State Institutions and Public Buildings and Grounds.

House Bill No. 182, introduced by the Appropriation Committee: A Bill for an Act entitled: "An Act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain of the State's institutions, for the period beginning July 1, 1939, and ending June 30, 1941." Referred to Committee on Appropriations.

House Bill No. 183, introduced by Leuthold, et al: A Bill for an Act entitled: "An Act providing for the increase of the rate of taxation on real and personal property for State purposes of not to exceed three (3) mills on each dollar of valuation, in addition to the levy which is now or may be hereafter authorized by Section 9 of Article 12 of the Constitution of the State of Montana, for a period of ten years beginning with the year 1941, and to authorize and empower the Legislative Assembly to levy a tax for each year during such period of an additional levy of not to exceed three (3) mills on each dollar of valuation for the support, maintenance and improvement of the institutions now comprised in the Greater University of Montana, together with the Agricultural Experiment Station and its branches and substations, and the Agricultural Extension Service, including the soil survey and the grain laboratory and to appropriate so much of the money derived therefrom for each year during said period as may be necessary for said purposes, and providing for the submission of this Act to the qualified electors of the State of Montana at the next general election, describing the form of ballots to be used and the duties of the Secretary of the State of Montana relative to the submission of said Act to the qualified electors of said state." Referred to Committee on Revenue and Taxation.

House Bill No. 184, introduced by Leuthold: A Bill for an Act entitled: "An Act to amend Section 4736 of the Revised Codes of Montana, 1935; relating to the hours during which certain county offices shall be kept open for business." Referred to Committee on Townships and Counties.

House Bill No. 185, was introduced without previous notice by unanimous consent by the Committee on Employment, entitled:

House Bill No. 185, introduced by Committee on Employment: A Bill for an Act entitled: "An Act to amend Section 63 of the Revised Codes of Montana as amended by Chapter 44 of the Laws of 1937, relating to the number, designation, election and appointment of officers and employees of the House of Representatives." Referred to Committee on Employment.

THIRD READING

The following having been read three several times, history and title agreed to were disposed of as follows: All appropriation measures having been read at length.

House Bill No. 92 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods and Mr. Speaker. Total 88.

Noes: Green, O'Connor and Zuck. Total 3.

Absent and not voting: Acher, Cole (Prairie), Friedl, Goodwin, Horrigan, Laubach, McKenna, Moss (Flathead), Parker (Flathead), Smith, Stromnes. Total 11.

House Bill No. 85 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 92.

Absent and not voting: Acher, Cole (Prairie), Friedl, Goodwin, Horrigan, Laubach, McKenna, Moss (Flathead), Smith and Stromnes. Total 10.

House Bill No. 93 was passed by the following vote:

Ayes: Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Berthot, Bjerneby, Bower, Brower, Byrne, Clark, Cole (Petroleum), Collins, Daniel, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Green, Hageman, Hammond, Hoiness, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, Malee, McFatridge, Metlen, Morrison, O'Connor, Padbury, Parker (Flathead), Rice, Roehl, Sorte, Stafford, Stromnes, Williams, Woods and Mr. Speaker. Total 52.

Noes: Acton, Anderson (Cascade), Balgord, Beadle, Beck, Brown, Cannon, DeDobbeleer, D'Ewart, Dougherty, Hess, James, Leuthold, Liggett, Long, Martin, McCarthy, McClain, McGee, McLeod, Melin, Miles, Moss (Custer), Murray, Newell, Parker (Wibaux), Petersen, Potter, Reed, Ryan, Siegling, Spiegel, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Wilson and Zuck. Total 41.

Absent and not voting: Acher, Cole (Prairie), Friedl, Goodwin, Horri-
gan, McKenna, Moss (Flathead), Smith. Total 8.

Passed: Scofield. Total 1.

House Bill No. 38 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Arm-
strong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower,
Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Collins, Daniel,
DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Find-
later, Flynn, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, Horri-
gan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Lig-
gett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee,
Martin, McCarthy, McClain, McFatridge, McGee, McLeod, Melin, Metlen,
Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury,
Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl,
Ryan, Scofield, Siegling, Spiegel, Stafford, Stevens, Stewart, Sullivan,
Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and
Mr. Speaker. Total 92.

Absent and not voting: Acher, Cole (Prairie), Freshman, Friedl, Good-
win, McKenna, Moss (Flathead), Smith, Sorte and Stromnes. Total 10.

House Bill No. 118 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Arm-
strong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower,
Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Daniel, DeDob-
beleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater,
Flynn, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, Horrigan,
James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett,
Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Mar-
tin, McCarthy, McClain, McFatridge, McGee, McLeod, Melin, Metlen,
Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury,
Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl,
Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart,
Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson,
Woods, Zuck and Mr. Speaker. Total 93.

Absent and not voting: Acher, Cole (Prairie), Collins, Freshman,
Friedl, Goodwin, McKenna, Moss (Flathead), Smith. Total 9.

Senate Bill No. 3 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim,
Armstrong, Aronson, Baker, Balgord, Beadel, Beck, Berthot, Bjorneby,
Bower, Brower, Brown, Byrne, Cannon, Clark, Collins, Daniel, DeDobbeleer,
D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn,
Freshman, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan,
James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett,
Listug, Long, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain,
McFatridge, McGee, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flat-
head), Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker
(Flathead), Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte,
Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vander-
beck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker.
Total 81.

Noes: Cole (Petroleum). Total 1.

Absent and not voting: Acher, Cole (Prairie), Friedl, Gebhardt,
Longenecker, McKenna, O'Connor, Petersen and Smith. Total 9.

Passed: Lippard. Total 1.

House Joint Resolution was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McLeod, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Laubach and Mr. Speaker. Total 92.

Absent and not voting: Acher, D'Ewart, Dougherty, Friedl, Goodwin, Lippard, McKenna, Metlen, Smith and Tyler. Total 10.

House Joint Memorial No. 10, was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dunn, Ekern, Findlater, Flynn, Freshman, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 89.

Noes: D'Ewart, Duncan, Emswiler and Laubach. Total 4.

Absent and not voting: Acher, Dougherty, Friedl, Goodwin, Malee, McKenna, Metlen, Moss (Flathead), Smith. Total 9.

The Speaker signed Senate Joint Resolution No. 1 in open session.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 66, 82, 96, 122 and House Joint Memorial No. 5, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Stromnes, duly seconded and carried, that the House reconsider its action in adopting the report of the Judiciary Committee on House Bill No. 99.

It was moved by Stromnes, duly seconded and carried, that House Bill No. 99 be re-referred to the Committee on Judiciary.

It was moved by Lambert, duly seconded and carried, that House Bill No. 185 be taken from the Committee on Employment and referred to the Committee on Judiciary.

It was moved by McLeod, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice, that they would on tomorrow or some subsequent day introduce the following:

By Lehrkind and D'Ewart: A Bill for an Act entitled: "An Act creating a State Milk Control Board to supervise and regulate the fluid milk industry of the State of Montana, and defining its powers and duties; setting forth the rules governing said board; providing for the licensing and collection of license fees from milk dealers, producers, and distributors; defining milk, milk dealers, consumers, producers, producer-distributors and distributors, and their duties as such; authorizing the board, created hereunder, to promulgate regulations and rules for the administration of its functions; providing for a review of the boards rulings; fixing penalties and additional remedies; providing for repeal of all laws in conflict with this Act, and establishing the manner of this Act's taking effect."

By Stromnes: A Bill for an Act entitled: "An Act to amend Section 459.1 Revised Codes of Montana, 1935, relating to the expenses of officers and employees of the State of Montana."

By Anderson (Cascade), McLeod, Newell, Wilson, O'Connor, Liggett and Siegling: A Bill for an Act entitled: "An Act to amend Section 3501 of the Revised Codes of Montana, 1935, as amended by Section 2 of Chapter 146 of the Laws of the Twenty-fifth Legislative Assembly of 1937, relating to the ventilation of coal mines, the purity of air in coal mines and providing methods for the operation of cutting and shearing machines in coal mining."

By Berthot: A Bill for an Act entitled: "An Act to amend Section 2000.7 of the Revised Codes of Montana, 1935, providing the basis for the imposition of taxes upon certain agricultural products and livestock."

By Agriculture Committee: A Bill for an Act entitled: "An Act to amend the following sections of the Revised Codes of Montana, 1935, relating to weights and measures; namely, Section 4235, relating to State Sealer of Weights and Measures; Section 4236, relating to supervision of inspection of weights and measures; Section 4237, relating to allowance of bills and expenses; Section 4238, relating to duties of Sealer of Weights and Measures; Section 3239, relating to inspection and certificates; Section 4240, relating to penalty for using weighing or measuring devices not inspected and certified; Section 4241, relating to duty to have scales adjusted; Section 4242, relating to inspection of scales for public weighing; Section 4243, relating to authority to inspect weighing devices; Section 4244, relating to authority to inspect weight of commodities offered for sale; Section 4245, relating to inspection of track scales used by common carriers; Section 4246, relating to weight of commodities offered for sale; Section 4247, relating to keeping on record of inspection; Section 4249, relating to denomination of weights; Section 4250, relating to use of weights pending adjustment; Section 4251, relating to condemnation of non-standard weights; Section 4252, relating to seizure of weights as evidence; Section 4253, relating to scales of itinerant peddlers; Section 4254, relating to regulation of milk containers; Section 4255, relating to contents of milk bottles; Section 4256, relating to penalty for using false weights; Section 4257, relating to legal weights; Section 4258, relating to penalty for selling less quantity than represented; Section 4260, relating to penalty for refusing to permit examination; Section 4261, relating to promulgation of rules by State Sealer; Section 4263, relating to powers of Sealers; Section 4264, relating to disposition of fines; Section 3575.3, relating to contingent revolving fund and payment of expenses, and repealing the following sections of the revised Codes of Montana, 1935; namely, Section 4233, Section 4239, relating to inspection and certificates; Section 3575.1, relating to appointment of State Scale Expert; Section 3575.4, relating to certificate of test by State Scale Expert; Section 3575.5, relating to use of untested weighing devices; Section 3575.6, relating to permit to use weigh-

ing devices; Section 3575.7, relating to penalty for making false test; providing penalties for violations and repealing all Acts in conflict."

By Siegling and Horrigan: A Bill for an Act entitled: "An Act to regulate, and control, the operation of games of chance; to provide for the licensing thereof by the State Board of Equalization and granting to said board certain powers therein; providing for the distribution to the State and Counties of the proceeds thereof; making certain Acts illegal and providing penalties; prohibiting minors from participating in any of said games and providing penalties therefor; permitting cities and towns to levy a license tax therefor in addition to the State tax herein provided and to regulate the conduct of such games under the police power of said cities; providing that by a special election any county may prohibit the games of chance in said county; providing that such games of chance shall be licensed unless a special election shall be had in such counties as provided in this Act and providing for such special election; repealing all Acts or parts of Acts in conflict therewith."

By Longenecker: A Bill for an Act entitled: "An Act to create the Montana Armory Board and to define its powers and duties."

By McLeod, Anderson (Cascade), Cannon, Beadle and Siegling: A Bill for an Act entitled: "An Act to amend Section 4869, Revised Codes of Montana, 1935, relating to the salaries of County Superintendents of Schools in counties of the First, Second, Third and Fourth Class Counties."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 60, respectfully report as follows: That House Bill No. 60 do pass.

MALEE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 182, respectfully report as follows: That House Bill No. 182 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 168, respectfully report as follows: That House Bill No. 168 do pass.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 147, respectfully report as follows: That House Bill No. 147 do not pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 6, respectfully report as follows: That House Bill No. 6, be amended as follows:

The Committee recommends that the original amendment of House Bill No. 6 of Section 1 be stricken and that the new amendment in lieu thereof be inserted as follows:

"Section 1. That on and after March 1, 1939, all moneys received from the taxes hereinafter mentioned shall be deposited with the State Treasurer of the State of Montana, and of the moneys so received the State Treasurer shall credit twenty-five per cent (25%) of the receipts from Income

Tax to the Common School Equalization Fund, in compliance with the mandate of Section 1 (a) of Article XII of the Constitution of the State of Montana, it being understood, however, that this diversion shall have no relation to, or in any manner affect, the appropriation to be made by the Legislative Assembly to such fund and shall in no manner restrict such appropriation unless the amount furnished by such diversion of such twenty-five per cent (25%) of such Income Tax collected shall equal or exceed the budget request for such school fund; the remaining seventy-five per cent (75%) of the receipts from Income Taxes, together with all moneys received from Corporation License Tax, Telegraph License Tax, Natural Gas Distributors' License Tax, Store License Tax, Public Contractors' License Tax, Cigarette License Tax, Telephone License Tax, Movie Theater License Tax, Liquor License Tax, Inheritance Tax and profits from the State Liquor Control Act, shall be credited to the General Fund of the State of Montana, and shall be paid out only in pursuance to specific appropriations made by law, as provided in Section 10 of Article XII of the Constitution of the State of Montana"; and as amended do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 148, respectfully report as follows: That House Bill No. 148 do not pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 28, respectfully report as follows: That House Bill No. 28 do not pass, but that Substitute House Bill No. 28 entitled:

Substitute House Bill No. 28, introduced by Committee on Labor: A Bill for an Act entitled: "An Act to provide for the General Welfare and protect the health, efficiency and well being of workers in the State of Montana by providing for the elimination of wage and hour standards detrimental to the health, efficiency, and general well being of workers; to prescribe the minimum wage and maximum hours standards and to provide for the further determination and establishment of minimum wages by industry; to provide for the enforcement of such provisions and to prescribe the powers and duties of the director of the Labor Department under this Act; to prescribe penalties for violations of this Act or of orders or regulations of the director of the Labor Department authorized hereunder and to repeal all Acts and parts of Acts in conflict herewith."

SPIEGEL, Chairman.

It was moved by Spiegel, duly seconded, that the report of the Committee be adopted.

On substitute motion, it was moved by Hoiness, duly seconded, that Substitute House Bill No. 28 be indefinitely postponed.

A roll call vote, to be entered in the Journal, was demanded by the required number, and motion by Hoiness carried by the following vote:

Ayes: Acton, Anderson (Phillips), Armstrong, Aronson, Baker, Balgord, Berthot, Brower, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Freshman, Gebhardt, Green, Hageman, Hammond, Hoiness, Horrigan, Kellogg, Laubach, Lehrkind, Leuthold, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, McFatrige, Metlen, Miles, Moss (Flathead), Newell, O'Connor, Padbury, Parker (Wibaux), Potter, Reed, Roehl, Scofield, Smith, Stevens, Stewart, Stromnes, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods and Mr. Speaker. Total 59.

Noes: Anderson (Cascade), Antrim, Beadle, Beck, Bjorneby, Bower, Brown, Cannon, Daniel, DeDobbeleer, Ekern, James, Kirscher, Liggett,

Long, Malee, Martin, McCarthy, McGee, McLeod, Melin, Morrison, Moss (Custer), Murray, Petersen, Rice, Ryan, Siegling, Sorte, Spiegel, Stafford, Sullivan, Tyler, Zuck. Total 34.

Absent and not voting: Friedl, Goodwin, Hess, Lambert, McClain, McKenna, Parker (Flathead). Total 7.

Paired: Acher and Flynn. Total 2.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 16, respectfully report as follows: That House Bill No. 16 do not pass.

SPIEGEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 13, respectfully report as follows: That House Bill No. 13 do not pass, but that Substitute House Bill No. 13:

A Bill for an Act entitled: "An Act prescribing the hours of labor for persons employed and/or working in and about commercial laundries and dry cleaning establishments; providing exemptions therefrom; providing penalties for a violation thereof and repealing all Acts and parts of Acts in conflict herewith."

SPIEGEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 25, respectfully report as follows: That House Bill No. 25 do not pass.

SPIEGEL, Chairman.

Report adopted.

MAJORITY REPORT

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 91, respectfully report as follows: That House Bill No. 91 do not pass.

McCLAIN,
HARRIGAN,
ARMSTRONG,
GREEN,
ROEHL,
FINDLATER,
SORTE,
BERTHOT,
McFATRIDGE,
DOUGHERTY,
EKERN,
LAMBERT,
ZUCK,
MORRISON.

MINORITY REPORT

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 91, respectfully report as follows: That House Bill No. 91 do pass.

STEVENS, Chairman.

It was moved by Dougherty, duly seconded, that the report of the majority be adopted.

On substitute motion, it was moved by Stevens, duly seconded, that the report of the minority be adopted. Motion was lost.

Whereupon motion by Dougherty, to adopt the majority report, was adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 180, respectfully report as follows: That House Bill No. 180 be referred to Workmen's Compensation Committee.

LYNCH, Chairman.

It was moved by Lippard, duly seconded, that the report of the Committee be adopted.

On substitute motion, it was moved by Padbury, duly seconded and carried, that House Bill No. 180 be re-referred to the Committee on Public Health and Sanitary Affairs.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 24, respectfully report as follows: That House Bill No. 24 be referred to Judiciary Committee.

McCLAIN, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills 65, 35 and 12 and House Joint Memorials 1 and 3, were read this day in the Senate three several times, title and history agreed to, and concurred in and are herewith returned to the House.

Respectfully,

GEORGE A. BURR,

Secretary of the Senate.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Bill No. 186, introduced by Brower: A Bill for an Act entitled: "An Act to amend Section 45, of the Revised Codes of Montana, 1935, relating to the number of representatives from each county." Referred to Committee on Apportionment and Representation.

House Bill No. 187, introduced by Ryan, by request: A Bill for an Act entitled: "An Act amending paragraph numbered eleven (11) of Section 1622 of the Revised Codes of Montana, 1935, relating to the powers and duties of County Commissioners inspecting highways and to repeal Section 1622.1 relating to County Surveyors' duties in counties having a total registered vote of fifteen thousand or over at the last general election and repealing Section 1622.2 of the Revised Codes of Montana, 1935, relating to road supervisors and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Townships and Counties.

House Bill No. 188, introduced by Horrigan, Woods and Stevens: A Bill for an Act entitled: "An Act to amend Section 10773, Section 10774, Section 10803, Section 10804 and Section 10810 Revised Codes of Montana, 1935; changing the limitations on the amounts a candidate may spend to procure his nomination or election; providing for judgments in election contests; defining persons who may contest and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Privileges and Elections.

House Bill No. 189, introduced by Smith: A Bill for an Act entitled: "An Act to amend Section 12381, Revised Codes of Montana, 1935, relating

to the duties and powers of the Coroner." Referred to Committee on Townships and Counties.

House Bill No. 190, introduced by Committee on Highways: A Bill for an Act entitled: "An Act relating to misleading sign or direction boards and advertising signs along the highways in the State of Montana and giving the Montana Highway Patrol certain powers in connection therewith." Referred to Committee on Highways.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Sorte in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That the enacting clause be stricken from House Bill No. 32.

That House Bill No. 126 be amended as follows: Amend Section 14, line 65, page 22 of the printed bill by striking the figure "11" and inserting in lieu thereof the figure "10"; do pass as amended.

That House Joint Memorial No. 6 do pass.

That Senate Bill No. 25 be concurred in.

That Senate Bill No. 3 be concurred in.

SORTE, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Spiegel, duly seconded and carried, that the use of the House Chambers be given to the Joint Committee on Labor for a public hearing to be held on Wednesday, February 1st, 1939, at 7 o'clock P. M.

It was moved by Stafford, duly seconded and carried, that the House reconsider its action, taken yesterday, on House Bill No. 90.

It was moved by Byrne, duly seconded and carried, that House Bill No. 90 be re-referred to the Committee on Judiciary for further consideration.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Wednesday, February 1st, 1939, at 10:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

THIRTY-FIRST DAY

House of Representatives,
Helena, Montana.
February 1, 1939.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Acher, Friedl, Goodwin and McKenna.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirtieth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill Nos. 36, 54, 107, 109 and 23, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

NOTICES

Authors gave notice, that they would on tomorrow or some subsequent day introduce the following:

By Baker and Byrne: House Joint Memorial entitled: "A memorial to the congress of the United States requesting the enactment of appropriate legislation to protect the citizens of the State of Montana against the importation of natural gas from the Dominion of Canada."

By Committee on Agriculture: House Joint Memorial entitled: "A memorial to the congress of the United States urging amendments to existing laws pertaining to agriculture affecting wheat production in Montana; requesting quotas in wheat production be changed from an acreage basis to a bushel basis; urging provision of means for raising revenue for the purpose of insuring a parity price for wheat produced."

By Acher: A bill for an act entitled: "An act to amend Sections 7684 and 11579, Revised Codes of Montana, 1935, relating to defrauding keepers of inns, hotels, restaurants, cafes, apartments, rooming or boarding-houses or hospitals; and penalty for violation thereof."

By Martin, Melin, Ekern, Lambert and Flynn: A Bill for an act entitled: "An act to provide medical and hospital care for persons unable to pay the same. Prescribing regulations and authorizing the imposition of a tax for such purpose and the repealing of Section 4465.4, Revised Codes of Montana, 1935, and all acts in conflict herewith."

By Malee: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 19 of Article VIII of the constitution of the State of Montana relating to the qualifications and terms of office of county attorneys."

By Cannon: A bill for an act entitled: "An act to amend Section 1760, Revised Codes of Montana, 1935, as amended by Chapter 138, laws of 1937, relating to registration of motor vehicles, fees, disposal of proceeds, fee for half year, dealers' registration and transfer thereof, and exempting public owned vehicles; and providing fees for tractors, defining same, and fees for trailers and semi-trailers."

By Lippard and Lynch: A bill for an act entitled: "An act to amend Section 1008, Revised Codes of Montana, 1935, relating to the power of school trustees over property and providing the manner in which conveyance by deed may be made by or to school districts and the right of the board of trustees to remove buildings and improvements from land when the land is no longer being used for school purposes."

By Lambert: A memorial entitled: "A memorial to the congress of the United States requesting the enactment of home security legislation to be supplemented by legislation in the several states exempting small homes and small parcels of land used for producing food for consumption in said respective homes from taxation and attachments and execution except for debt incurred in acquiring and improving said homes and land to the end that private local capital and employment of local labor may be stimulated, the standard of the American home and living raised, and respect for American traditions and institutions increased."

By Brower and Ekern: A bill for an act entitled: "An act to establish a state hospital to be known as the Montana state infantile paralysis sanitarium; providing the location thereof; prescribing rules and regu-

lations for same; providing for the issuance of revenue bonds for the erection of buildings and purchasing equipment therefor; providing that such bonds shall not constitute or be a debt, liability or obligation of the state but shall be secured only by the rents and/or income of such institutions; providing for the registration of such bonds; providing for trust indenture and trustee for said bonds; providing for the creation of a sinking fund and defining its purposes; empowering the state board of examiners to enter into all contracts and agreements necessary or incidental to the execution of its powers under this act; providing remedies of bondholders; declaring an emergency, and making appropriations therefor.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your committee on Workmen's Compensation having had under consideration Bill No. 119, respectfully report as follows: That House Bill No. 119 do pass.

McCARTHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations having had under consideration Senate Joint Memorial No. 3, respectfully report as follows: That Senate Joint Memorial No. 3 be concurred in.

It was moved by Stevens, duly seconded, that the report of the committee be adopted. On substitute motion, it was moved by McLeod, duly seconded, that consideration of Senate Joint Memorial No. 3 be indefinitely postponed.

After considerable discussion, the previous question was moved by Stafford, duly seconded and carried. A roll call, to be entered in the Journal, was demanded by the required number and motion by McLeod lost by the following vote:

Ayes: Anderson (Cascade), Antrim, Beadle, Beck, Bjorneby, Bower, Brown, Byrne, Cannon, Cole (Prairie), Daniel, DeDobbeleer, Dougherty, Ekern, Flynn, Hess, James, Kirscher, Lambert, Long, Loughran, Martin, McCarthy, McClain, McGee, Moss (Custer), Murray, Parker (Wibaux), Petersen, Rice, Ryan, Spiegel, Stevens, Sullivan, Tyler, Zuck. Total 36.

Noes: Acton, Anderson (Phillips), Armstrong, Aronson, Baker, Balgord, Brower, Clark, Cole (Petroleum), Collins, D'Ewart, Duncan, Dunn, Emswiler, Findlater, Freshman, Gebhardt, Green, Hageman, Hammond, Hoiness, Kellogg, Laubach, Leuthold, Liggett, Lippard, Listug, Longenecker, Lowe, Lynch, McFatrige, McLeod, Melin, Morrison, Moss (Flathead), Newell, O'Connor, Padbury, Parker (Flathead), Potter, Reed, Roehl, Scofield, Smith, Stafford, Stewart, Watson, Wenger, Williams, Wilson, Mr. Speaker. Total 51.

Absent: Acher, Berthot, Friedl, Goodwin, Horrigan, Lehrkind, Malee, McKenna, Metlen, Miles, Siegling, Sorte, Stromnes, Vanderback, Woods. Total 15.

Whereupon the Speaker put the motion for the adoption of the committee report. A call of the House was ordered by the required number. On motion, duly seconded and carried, Call of the House was dispensed with.

On substitute motion, it was moved by McLeod, duly seconded, that Senate Joint Memorial No. 3 be re-referred to the Committee on Federal Relations. Motion was lost.

Whereupon the motion for the adoption of the committee report was put. A call of the House was ordered by the required number. On motion duly seconded and carried, call of the House was dispensed with. After considerable discussion, the previous question was moved by O'Connor,

duly seconded and carried. A roll call vote, to be entered in the Journal, was demanded by the required number, on the adoption of the Committee report, and the same was adopted by the following vote:

Ayes: Acton, Anderson (Philips), Antrim, Armstrong, Aronson, Baker, Balgord, Berthot, Brower, Clark, Cole (Petroleum), Cole (Prairie), Collins, D'Ewart, Duncan, Dunn, Fmswiler, Findlater, Freshman Gebhardt, Green, Hageman, Hammond, Hoiness, Kellogg, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Longenecker, Lowe, McFatridge, Melin, Morrison, Moss (Flathead), Newell, O'Connor, Padbury, Parker (Flathead), Potter, Reed, Roehl, Scofield, Smith, Stewart, Watson, Wenger, Williams, Wilson, Mr. Speaker. Total 52.

Noes: Anderson (Cascade), Beadle, Beck, Bjorneby, Bower, Brown, Cannon, Daniel, DeDobbeleer, Dougherty, Ekern, Flynn, Hess, James, Kirscher, Lambert, Long, Lynch, Martin, McCarthy, McClain, McGee, McLeod, Metlen, Moss (Custer), Murray, Parker (Wibaux), Peterson, Rice, Ryan, Siegling, Sorte, Spiegel, Stevens, Stromnes, Sullivan, Tyler, Vanderbeck, Zuck. Total 39.

Absent and not voting: Acher, Byrne, Friedl, Goodwin, Horrigan, Loughran, Malee, McKenna, Miles, Woods. Total 10.

Passed their vote: Stafford. Total 1.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration House Bill No. 14, respectfully report as follows: That Substitute House Bill No. 14, entitled: "An Act regulating the speed of motor vehicles on the highways of the State of Montana and fixing exceptions thereto for the purposes of this act," do pass.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 136, respectfully report as follows: That House Bill No. 136 do pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration Senate Bill No. 20, respectfully report as follows: That Senate Bill No. 20 be concurred in.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations having had under consideration Senate Joint Memorial No. 2, respectfully report as follows: That Senate Joint Memorial No. 2 be concurred in.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations having had under consideration Senate Joint Memorial No. 5, respectfully report as follows: That Senate Joint Memorial No. 5 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Equal Suffrage having had under consideration House Bill No. 161, respectfully report as follows: That House Bill No. 161 be amended as follows:

"Section 6, Subsection 2, line 15 of the original bill, amend the word facilities to faculties." And as amended do pass.

RYAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration House Bill No. 184, respectfully report as follows: That House Bill No. 184 do not pass.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration House Bill No. 51, respectfully report as follows: That House Bill No. 51 do not pass, but that Substitute House Bill No. 51, entitled:

"An act relating to the abolishment of special road districts, and repealing Sections 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1674.1, and 1675 of the Revised Codes of Montana 1935, and repealing all acts in conflict." Do pass.

TYLER, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by O'Connor, duly seconded, that Subsection 3 of Rule 23 of House Rules be amended to read as follows:

A majority of the House shall constitute a quorum to do business. In the absence of a quorum, ten members, including the Speaker, if there be one, shall be authorized to compel the attendance of the absent members; or, if a quorum be present, a call of the House shall be ordered upon the demand of 25 members, and pending such call all other business shall be suspended. In all calls of the House, the pages shall announce the call through the corridors of the House, roll call shall be taken by the clerk, and the absentees noted; the doors shall then be closed, and those for whom no sufficient excuse is made, shall be sent for and arrested wherever they shall be found, by officers to be appointed by the sergeant-at-arms for that purpose, and their attendance secured; and the House shall determine upon what conditions they shall be discharged.

Motion was referred to the Committee on Rules, Joint Rules and Order of Business.

It was moved by Morrison, duly seconded and carried, that House Bills Nos. 102 and 103 be taken from State Boards and Offices and referred to the Committee on Appropriations.

It was moved by McFatridge, duly seconded and carried, that consideration of House Bill No. 122 be passed for the day.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees:

House Bill No. 191: Introduced by Berthot, Dunn and Lehrkind: A bill for an act entitled: "An act to amend Section 2000.7 of the Revised Codes of Montana, 1935, providing the basis for the imposition of taxes upon certain agricultural products and livestock." Referred to Committee on Revenue and Taxation.

House Bill No. 192: Introduced by Hammond, Listug and Wenger: A bill for an act entitled: "An act authorizing directors of corporations to issue bonds, debentures or other obligations convertible into stock and defining stockholders' rights in connection therewith." Referred to Committee on Judiciary.

House Bill No. 193: Introduced by Siegling, McLeod, Anderson (Cascade), Liggett, Newell, Wilson, O'Connor: A bill for an act entitled: "An act to amend Section 3501 of the Revised Codes of Montana, 1935, as amended by Section 2 of Chapter 146 of the laws of the Twenty-fifth Legislative Assembly of 1937, relating to the ventilation of coal mines, the purity of air in coal mines and providing methods for the operation of cutting and shearing machines in coal mining." Referred to Committee on Mines and Mining.

House Bill No. 194: Introduced by Emswiler, Longenecker and Antrim: A bill for an act entitled: "An act relating to the general supervision of the state examiners over county treasurers." Referred to State Boards and Offices Committee.

House Bill No. 195: Introduced by Emswiler, Longenecker and Antrim: A bill for an act entitled: "An act to amend Section 4880, Revised Codes of Montana, 1935, relating to maximum number of deputy treasurers, assessors, auditors and county attorneys." Referred to Committee on Townships and Counties.

House Bill No. 196: Introduced by Emswiler, Longenecker and Antrim: A bill for an act entitled: "An act to amend Section 2182, Revised Codes of Montana, 1935, relating to publication of notice of tax sale." Referred to Committee on Judiciary.

House Bill No. 197: Introduced by Committee on Agriculture: A bill for an act entitled: "An act to amend the following sections of the Revised Codes of Montana, 1935, relating to weights and measures: namely, Section 4235, relating to state sealer of weights and measures; Section 4236, relating to supervision of inspections of weights and measures; Section 4237, relating to allowance of bills and expenses; Section 4238, relating to duties of sealer and weights and measures; Section 4239, relating to inspection and certificates; Section 4240, relating to penalty for using weighing or measuring devices not inspected and certified; Section 4241, relating to duty to have scales adjusted; Section 4242, relating to inspection of scales for public weighing; Section 4243, relating to authority to inspect weighing devices; Section 4244, relating to authority to inspect weight of commodities offered for sale; Section 4245, relating to inspection of track scales used by common carriers; Section 4246, relating to weight of commodities offered for sale; Section 4247, relating to keeping of record of inspection; Section 4249, relating to denomination of weights; Section 4250, relating to use of weights pending adjustment; Section 4251, relating to condemnation of non standard weights; Section 4252, relating to seizure of weights as evidence; Section 4253, relating to scales of itinerant peddlers; Section 4254, relating to regulation of milk containers; Section 4255, relating to contents of milk bottles; Section 4256, relating to penalty for using false weights; Section 4257, relating to legal weights; Section 4258, relating to penalty for selling less quantity than represented; Section 4260, relating to penalty for refusing to permit examination; Section 4261, relating to promulgation of rules by state sealer; Section 4263, relating to powers of sealers; Section 4264, relating to disposition of fines; Section 3575.2, relating to fees for scale inspection service; Section 3575.3, relating to contingent revolving fund and payment of expenses, and repealing the following sections of the Revised Codes of Montana, 1935; namely, Section 4233, relating to weights and measures inspected by county sealer; Section 4239, relating to inspection and certificates; Section 3575.1, relating to appointment of state scale expert; Section 3575.4, relating to certificate of test by state scale expert; Section 3575.5, relating to use of untested weighing devices; Section 3575.6, relating to permit to use

weighing devices; Section 3575.7, relating to penalty for making false test; providing penalties for violations and repealing all acts in conflict. Referred to Committee on Agriculture.

House Bill No. 198: Introduced by McLeod, Anderson (Cascade), Cannon, Beadle, Siegling: A bill for an act entitled: "An act to amend Section 4869, Revised Codes of Montana, 1935, relating to the salaries of county superintendents of schools in counties of the first, second, third, and fourth class counties." Referred to Committee on Townships and Counties.

House Bill No. 199: Introduced by Stromnes: A Bill for an Act entitled: "An act to amend Section 459.1, Revised Codes of Montana, 1935, relating to the expenses of officers and employees of the State of Montana." Referred to Committee on State Boards and Offices.

House Bill No. 200: Introduced by Longenecker: A bill for an act entitled: "An act to create the Montana armory board and to define its powers and duties." Referred to Committee on State Boards and Offices.

House Bill No. 201: Introduced by Lehrkind and D'Ewart: A bill for an act entitled: "An act creating a state milk control board to supervise and regulate the fluid milk industry of the State of Montana, and defining its powers and duties; setting forth the rules governing said board; providing for the licensing and collection of license fees from milk dealers, producers, and distributors; defining milk, milk dealers, consumers, producers, producer-distributors and distributors, and their duties as such; authorizing the board, created hereunder, to promulgate regulations and rules for the administration of its functions; providing for a review of the board's rulings; fixing penalties and additional remedies; providing for repeal of all laws in conflict with this act, and establishing the manner of this act's taking effect." Referred to Committee on Dairying.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 112, 141, 46, 75, 150 and 73, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

THIRD READING

Senate Bill No. 3 having been read three several times, history and title agreed to, was not concurred in by the following vote:

Ayes: Antrim, Baker, Balgord, Clark, Cole (Petroleum), Cole (Prairie), Collins, Duncan, Dunn, Emswiler, Findlater, Freshman, Green, Hageman, Kirscher, Lehrkind, Morrison, Potter, Reed, Rice, Scofield, Stafford, Stevens, Stromnes, Watson, Wenger. Total 26.

Noes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Daniel, DeDobbeleer, Dougherty, Flynn, Gebhardt, Hammond, Hess, Hoiness, James, Kellogg, Lambert, Laubach, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McLeod, Melin, Metlen, Miles, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Peterson, Roehl, Ryan, Smith, Sorte, Spiegel, Stewart, Sullivan, Tyler, Vanderbeck, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 65.

Absent: Acher, Byrne, D'Ewart, Ekern, Friedl, Goodwin, Horrigan, Loughran, Malee, McKenna, Siegling. Total 11.

MOTIONS AND RESOLUTIONS

It was moved by McLeod, duly seconded and carried, that the House reconsider its action on Senate Bill No. 3.

It was moved by McLeod, duly seconded and carried, that Senate Bill No. 3 be taken from Third Reading and referred to the Committee on Judiciary.

It was moved by McLeod, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Watson: A Bill for an Act entitled: "An Act to amend Section 1262.14 of the Revised Codes of the State of Montana of 1935 relating to and increasing the bond limit of counties of the fifth class for county high school purposes."

By Zuck, Findlater, Leuthold, Anderson (Phillips), Dougherty, Lambert, Beck, DeDobbeleer, Tyler, Peterson, Rice, Morrison, Listug: A bill for an act entitled: "An act to permit the qualified electors living outside incorporated cities or towns to elect their county agricultural agent; and permitting the president of Montana State College to enter into cooperative agreements with county commissioners."

By Peterson, McKenna, Hess, Melin, Smith, Padbury: A bill for an act entitled: "An act relating to the duty of boards of county commissioners to remove from certain roads weeds and other material that might cause snow to drift thereon."

By Ryan: A bill for an act entitled: "An act to prohibit the making or manufacture of motor vehicle license number plates, or the processing or preparation of any material used or entering into the making or manufacturing of such motor vehicle license number plates by the inmates of any of the custodial, penal, charitable, or reformatory institutions of the State of Montana; prohibiting the employment of the labor of such inmates in the making or manufacture of such motor vehicle license number plates, or in the processing or preparation of any material used or entering into the making or manufacture of such motor vehicle license number plates, and providing a penalty for the violation thereof."

By Watson: A Bill for an Act entitled: "An Act to amend Section 1262.83 of the Revised Codes of the State of Montana of 1935, relating to purchases by boards of trustees of county high schools and of school districts for high school purposes of lands contiguous to a high school building without calling for a vote of the qualified electors; and repealing all acts and parts of acts in conflict herewith."

By Committee on Revenue and Taxation: A bill for an act entitled: "An act to amend Section 15 of Chapter 84 of the laws of the Twenty-fifth Legislative Assembly of the State of Montana, authorizing the Montana liquor control board to charge and collect an excise tax on all liquor sold by it."

By Lambert: A bill for an act entitled: "An act to repeal Chapter number 96, relating to rural school districts."

By Spiegel, McGee: A bill for an act entitled: "An act to preserve the coal resources of the State of Montana from two rapid exhaustion without corresponding benefit to the state and to classify methods of mining coal and to distinguish underground mining of coal from strip mining of coal and open pit mining of coal; and an act to amend Sections 2316 to 2326, Revised Codes of Montana, 1935, requiring every person, firm,

association, joint stock company and corporation, engaged in or carrying on the business of coal mining, or engaged in working or operating any mine or mining property in the State of Montana, from which coal is mined, produced or extracted, to pay to the state treasurer for engaging in and carrying on such business by any method, certain license taxes for the exclusive use and benefit of the State of Montana; fixing the amount and disposition of such license taxes; prescribing a method for the assessment and collection thereof; and prescribing the penalties for the violations of the provisions of this act."

By Smith, Gebhardt, Dunn, Morrison, Stewart, Padbury, Stafford, Lambert, Beadle, Miles, Stromnes, Hoiness, Wason: A bill for an act entitled: "An act to amend Sections 3228.1, 3228.2, 3228.3, 3228.4, 3228.5, 3228.7, 3228.8, 3228.9, 3228.10, 3228.11, 3228.13, 3228.15, 3228.16, and 3228.17 of the Revised Codes of Montana of 1935, regulating the occupation of hair-dressers and cosmetologists, and establishing the requirements for obtaining a license to practice or teach cosmetology, and the regulation of schools of cosmetology providing and prescribing the powers of the state board of beauty culture."

By Morrison: A bill for an act entitled: "An act to endow the state board of health of the State of Montana with powers to operate as a pneumonia control agency for the state board of Montana, stating the function and prescribing the duties of such board in connection therewith; providing for distribution of pneumonia serum; establishing a fund therefor and appropriating the sum of ten thousand (\$10,000) dollars for such fund subject to disbursement, replenishment and continuance upon a revolving basis."

By Parker (Flathead), Byrne, Melin, Moss (Flathead): A bill for an act entitled: "An act to amend Section 10 of Chapter 84, Laws of 1937, relating to the persons ineligible for license to sell liquor at retail."

By Byrne: A bill for an act entitled: "An act creating a commission to be known as the state insurance commission, composed of the state auditor-ex officio commissioner of insurance, state accountant and chairman of the state board of equalization, all serving without additional compensation, and prescribing the duties of said commission."

By Longenecker: A bill for an act entitled: "An act to provide for a local option election upon the question of the sale of intoxicating liquors except non-intoxicating beer in any county of the state."

By Committee on Conservation of Resources: A Bill for an Act entitled: "An act for the purpose of providing for the conservation, protection, restoration, and proper utilization of grass and forage resources of the State of Montana as a means of restoration and maintenance of the prosperity and general welfare of the state: Defining terms, words and phrases; creating the Montana grass conservation commission: defining its purposes: providing for the membership, the appointment and expenses thereof; defining the powers and prescribing the duties of said commission; granting certain authority over state grazing districts and the power to hear and determine controversies between grazing districts or grazing districts and members or non-members thereof: providing for the appointment of a state administration of grass conservation, his compensation and defining his powers and duties; providing for hearings by the administrator or any member of the commission delegated to hold the same and for appeal to the Montana commission from the decision and orders thereon; providing for an appeal to the district court from a decision of the commission; creating a fund to be known as the state grass conservation fund and providing for the assessment and collection of fees to defray the expenses of said commission; providing for the creation and the incorporation of cooperative grazing districts and defining their powers and duties; and defining who may become members thereof; and the rights and privileges of members; to authorize such districts to purchase grass seed, livestock, supplies, to lease state lands and other lands, and to

undertake reseedling of depleted range areas or abandoned farm lands, purchase or otherwise acquire the possession of land for grazing purposes, conservation, restoration and improvement of forage resources; granting to the Montana grass conservation commission supervisory authority over grazing districts; providing for cooperation of and with governmental and state departments or agencies; defining the manner of distributing grazing preferences and revocation thereof; providing for the liquidation of the assets of a district upon its dissolution and providing the compensation to a district for range improvements by subsequent lessors or owners of land; providing for crossing privileges; providing for the use of lands lying within the exterior boundaries of a district controlled by a non-member; to grant the commission the authority to prepare and approve this Act; to define the terms trespass and legal fence as related to grazing districts and provide penalties for the violation thereof; providing for the reservation of range for wild life and repealing Sections 7364.7 to 7364.29 inclusive, of the Revised Codes of Montana, 1935, and providing for the associations incorporated under previous acts to comply with the provisions of this act."

By McClain: A Bill for an Act entitled: "An Act relating to the reinstatement of police officers in cities in the State of Montana, and providing for the pension benefits to be allowed an officer who has been reinstated."

By Stevens and Antrim: A Bill for an Act entitled: "An Act to amend Chapter 13 of Political Code of Montana of 1935, by adding thereto new sections numbered: Sections 107.1, 107.2, 107.3, 107.4, prohibiting an elector who has once signed a proposed petition for initiative or referendum petition under and in accordance with the provisions of said chapter from withdrawing his name from said petition, and prohibiting the County Clerk and Recorder, and the Secretary of State from accepting, certifying, or giving credit for any such withdrawal petitions."

By Lynch: A Bill for an Act entitled: "An Act appropriating money for the payment of amount due John Nilson as a refund on account of over-payment on a contract for the purchase of State lands."

By McClain: A Bill for an Act entitled: "An Act to amend Section 5401, Revised Codes of Montana, 1935, relating to elections to submit the question of reorganization of the form of city government and providing for a petition by the electors of a municipality requesting that the question be submitted at an election."

By McGee and Malee: A Bill for an Act entitled: "An Act to amend Section 3694 of the Revised Codes of Montana, 1935, relating to the restrictions of the manner of taking and possessing fish and game, and granting and giving to the State Fish and Game Commission of the State of Montana, authority to change or suspend closed seasons on game birds and animals, game fish and fur-bearing animals, so as to meet existing conditions, and also, to make and promulgate rules and regulations for the killing, taking, capturing and possessing of game fish, game birds, game and fur-bearing animals; prescribing penalties for a violation of this Act and repealing all Acts and parts of Acts in conflict with the provisions hereof."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Corporations other than Municipal having had under consideration House Bill No. 159, respectfully report as follows: That House Bill No. 159 do pass.

DUNCAN, Chairman.

Report adopted.

Mr. Speaker: We your Committee on Fairs and Expositions having had under consideration House Bill No. 155, respectfully report as follows: That House Bill No. 155 do pass.

EKERN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Conservation of Resources having had under consideration House Bill No. 80, respectfully report as follows: That House Bill No. 80 do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 176, respectfully report as follows: That House Bill No. 176 do pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 165, respectfully report as follows: That House Bill No. 165, be amended as follows:

In line 9 of the title, strike the word "four" and insert in lieu thereof the word "three" and strike the last two words "and 12D" and insert the word "and" before "12C" and insert a "coma" after "12C" and in line 15 after the word "therefore" insert a "period" and strike out the balance of line 15 all of lines 16, 17, 18, and 19 and recommend that the bill as amended do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 185, respectfully report as follows: That House Bill No. 185 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 164, respectfully report as follows: That House Bill No. 164 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation having had under consideration House Bill No. 81, respectfully report as follows: That House Bill No. 81 be amended in the following particulars:

By striking out all of the matter in line 10 following the coma following the word "board" in line 10; and all of the matter in line 11 up to, but not including, the word "unless" in line 11; and inserting in lieu of the matter stricken, the following: "not exceeding in amount the sum of Five Hundred Dollars (\$500.00), provided that such period may, in the discretion of the board and by unanimous decision, be extended and such amount increased," that said House Bill No. 81, as amended, do pass.

McCARTHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration House Bill No. 123, respectfully report as follows: That House Bill No. 123, do pass.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration House Bill No. 189, respectfully report as follows: That House Bill No. 189, do pass.

TYLER, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Stafford, duly seconded and carried, that the Journal be corrected with reference to House Bill No. 96, so as to show that there was a minority report, signed by him.

It was moved by Byrne, duly seconded and carried, that consideration of House Bill No. 54 be passed for the day.

INTRODUCTIONS OF BILLS

House Bill No. 202, introduced by Newell, Wilson and O'Connor: Entitled: "An Act to amend Section 4630.6 of the Revised Codes of Montana, 1935, as amended by Chapter 135 of the Legislative Assembly of the State of Montana, 1937, relating to bonds issued for certain purposes may be issued without holding an election, and repealing all Acts and parts of Acts in conflict herewith." Having been read first and second time, was referred to the Committee on Judiciary.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 25 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord Beadle, Berthot, Bjorneby, Bower, Brower, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, D'Ewart, Dougherty, Duncan, Ekern, Emswiler, Findlater, Flynn, Gebhardt, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Lambert, Laubach, Leuthold, Liggett, Lippard, Listug, Long, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McGee, Melin, Metlen, Morrison, Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Siegling, Smith, Spiegel, Stafford, Stevens, Stewart, Stromnes, Tyler, Vanderbeck, Wenger, Wilson, Woods, Zuck, Mr. Speaker. Total 77.

Noes: Anderson (Cascade), Brown, Cannon, Longenecker, Miles, Murray, Ryan, Scofield, Sullivan, Watson. Total 10.

Absent: Acher, Beck, DeDobbeleer, Dunn, Freshman, Friedl, Goodwin, Green, Kirscher, Lehrkind, McKenna, McLeod, Moss (Flathead), Sorte, Williams. Total 15.

House Joint Memorial No. 6 was passed by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Prairie), Collins, Daniel, Dougherty, Ekern, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McLeod, Melin, Metlen, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Ryan, Siegling, Smith, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Wenger, Woods, Zuck, Mr. Speaker. Total 76.

Noes: Cole (Petroleum), D'Ewart, Duncan, Hageman, Leuthold, Longenecker, Lowe, Miles, O'Connor, Parker (Flathead), Scofield, Watson, Wilson. Total 13.

Absent: Acher, Acton, Beck, DeDobbeleer, Dunn, Friedl, Goodwin, Green, Kirscher, McKenna, Moss (Flathead), Sorte, Williams. Total 13.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Joint Memorial No. 6, beg leave to recommend that the same be considered correctly engrossed.

RICE, Chairman.

Report adopted.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Anderson of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 6, do pass.

That House Bill No. 82, do pass.

That House Bill No. 96 do pass.

ANDERSON (Phillips),
Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 125, 130, 145, 168, House Bill No. 18 and House Joint Memorial No. 11, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bills Nos. 82 and 96, beg leave to recommend that the same be considered correctly engrossed.

RICE, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by McLeod, duly seconded and carried, that the House stand in silence for a few seconds in memory of Mr. W. J. Powers, Safety Appliance Inspector of the Railroad Commission, whose death occurred this afternoon.

It was moved by O'Connor, duly seconded, that House Rule Number 48 be amended to read as follows: "A roll call shall be ordered upon the request of twenty members and the ayes and noes shall be entered upon the Journal at the request of two members. This rule shall not be suspended." Motion was referred to the Committee on Rules, Joint Rules and order of Business.

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Anderson of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following recommend:

That House Bill No. 66, do pass.

That House Bill No. 107 do pass.

That consideration of House Bill No. 36 be passed for the day.

That House Joint Memorial No. 5 do pass.

ANDERSON (Phillips),
Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Thursday, February 2, 1939, at 10:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

THIRTY-SECOND DAY

House of Representatives,
Helena, Montana,
February 2, 1939.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Acher, Friedl, Goodwin and McKenna.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-first Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Printing Committee, beg leave to report that in view of the fact that several members of the House have requested this committee to furnish them with additional printed letterheads above the number furnished to all House members this year, we voted unanimously at a meeting last evening to furnish same at actual cost, which will be \$8.15 per thousand. Those wishing extra letterheads at this cost price are requested to leave their order along with the cost price with the Printing Clerk.

BECK, Chairman.

Report adopted.

NOTICES

Authors gave notice, that they would on tomorrow or some subsequent day introduce the following:

By Committee on Highways and Highway Transportation: A Bill for an Act entitled: "An Act to provide for the reporting of accidents upon the public highways; to provide for the duties of persons involved in such accidents; to require persons involved in such accidents to furnish certain information and to make reports thereof; authorizing incorporated cities to require the filing of reports of accidents; providing other regulations relating to the public highways and providing penalties for the violation of the provisions thereof."

By Committee on Highways and Highway Transportation: A Bill for an Act entitled: "An Act to amend Section 1704, Revised Codes of Montana 1935, providing for the levying of a special bridge tax."

By Duncan: A Bill for an Act entitled: "An Act to amend Section 3722 of the Revised Codes of Montana, 1935, relating to protection of beaver, and beaver license and tagging, and repealing all laws in conflict therewith."

By Smith and Stewart: A Bill for an Act entitled: "An Act to amend Section 1741.9 of the Revised Codes of the State of Montana of 1935, as amended by Chapter 62 of the Laws of Montana, Twenty-fifth Session, 1937, relating to arrest by Highway Patrolmen and empowering therein patrolmen to stop motor vehicles transporting livestock or livestock products and take possession of the same whenever they have good reason to believe such are stolen."

By Flynn: A Bill for an Act entitled: "An Act amending Section 310, Revised Codes of Montana, 1935, relating to the employment of the custodian of the State capitol and fixing the salary therefor."

By Baker, Hoiness, D'Ewart, Listug, Lowe, James, Zuck, McClain, Acton, Leuthold and Reed: "A Memorial to the President, Senate and House of Representatives of the United States in Congress assembled and the Secretary of Agriculture."

By Kellogg, by request: A Bill for an Act entitled: "An Act to provide for the submission of the qualified electors of the State of Montana of an amendment to Section 19, of Article VIII of the Constitution of the State of Montana, relating to the qualifications and term of office of County Attorneys."

By Dougherty: A Bill for an Act entitled: "An Act to provide for the repayment of the pro rata amount of premiums paid under the State Fire Insurance Act by Counties and School Districts, for the unused portion of such premiums."

By Ryan and Murray: A Bill for an Act entitled: "An Act limiting the powers of trustees of cemetery associations, requiring the employment of Montana labor in the construction of burial vaults; providing for a penalty; and repealing all Acts and parts of Acts in conflict herewith."

By D'Ewart and Metlen: A Bill for an Act entitled: "An Act to amend Sections 1805.21, 1805.23 and 1805.24 of the Revised Codes of Montana of 1935, relating to leasing of State Lands, renewal of such leases, qualifications of lessees, amount of land which may be embraced in leases, period of lease and lease expiration dates."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 131, respectfully report as follows: That House Bill No. 131 do not pass.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 160, respectfully report as follows: That House Bill No. 160 do not pass.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 190, respectfully report as follows: That House Bill No. 190 be amended as follows:

That the following words at the end of Section 1 thereof be stricken; to-wit: "and to make all reasonable regulations necessary to carry out the provisions of this section," and to insert, after the word "signs," and before the words, "on any highways in the State of Montana," all in the last line of said bill, the following: "within the provisions of this act," and that as so amended the bill do pass.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 56, respectfully report as follows: That House Bill No. 56 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 167, respectfully report as follows: That House Bill No. 167 do not pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 202, respectfully report as follows: That House Bill No. 202 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 171, respectfully report as follows: That House Bill No. 171 do not pass.

STROMNES, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate on this day failed to concur in House Bill No. 20, and the bill is herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 34 and 44 were this day read three several times and concurred in and the same are herewith returned to the House.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Brower, duly seconded and carried, that House Bill No. 141, be taken from General Orders and re-referred to the Committee on Judiciary.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees, all appropriation measures having been read at length:

House Bill No. 203, introduced by Committee on Affairs of Cities: A Bill for an Act entitled: "An Act relating to the reinstatement of police officers in cities in the State of Montana, and providing for the pension benefits to be allowed an officer who has been reinstated." Referred to Committee on Affairs of Cities.

House Bill No. 204, introduced by Committee on Affairs of Cities: A Bill for an Act entitled: "An Act to amend Section 5401, Revised Codes of Montana, 1935, relating to elections to submit the question of reorganization of the form of city government and providing for a petition by the electors of a municipality requesting that the question be submitted at an election." Referred to Committee on Affairs of Cities.

House Bill No. 205, introduced by Malee and McGee: A Bill for an Act entitled: "An Act to amend Section 3694 of the Revised Codes of Montana, 1935, relating to the restrictions of the manner of taking and possessing fish and game, and granting and giving to the State Fish and Game Commission of the State of Montana, authority to change or suspend closed seasons on game birds and animals, game fish and fur-bearing animals, so as to meet existing conditions, and also, to make and promul-

gate rules and regulations for the killing, taking, capturing and possessing of game fish, game birds, game and fur-bearing animals; prescribing penalties for a violation of this Act and repealing all Acts and parts of Acts in conflict with the provisions hereof." Referred to Committee on Fish and Game.

House Bill No. 206, introduced by Acher: A Bill for an Act entitled: "An Act to amend Sections 7684 and 11579, Revised Codes of Montana, 1935, relating to defrauding keepers of inns, hotels, restaurants, cafes, apartments, rooming or boarding houses or hospitals, and penalty for violation thereof." Referred to Committee on Judiciary.

House Bill No. 207, introduced by Petersen, McKenna, Hess, Melin, Tyler, Smith, Padbury: A Bill for an Act entitled: "An Act relating to the duty of Boards of County Commissioners to remove from certain roads weeds and other material that might cause snow to drift thereon." Referred to Committee on Townships and Counties.

House Bill No. 208, introduced by Ryan: A Bill for an Act entitled: "An Act to prohibit the making or manufacture of motor vehicle license number plates, or the processing or preparation of any material used or entering into the making or manufacture of such motor vehicle license number plates by the inmates of any of the custodial, penal, charitable, or reformatory institutions of the State of Montana; prohibiting the employment of the labor of such inmates in the making or manufacture of such motor vehicle license number plates, or in the processing or preparation of any material used or entering into the making or manufacture of such motor vehicle license number plates, and providing a penalty for the violation thereof." Referred to Committee on Highways.

House Bill No. 209, introduced by Lippard and Lynch: A Bill for an Act entitled: "An Act to amend Section 1008, Revised Codes of Montana, 1935, relating to the power of School Trustees over property and providing the manner in which conveyance by deed may be made by or to School Districts and the right of the Board of Trustees to remove buildings and improvements from land when the land is no longer being used for school purposes." Referred to Committee on Education.

House Bill No. 210, introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Section 15 of Chapter 84 of the Laws of the Twenty-fifth Legislative Assembly of the State of Montana, authorizing the Montana Liquor Control Board to charge and collect an excise tax on all liquor sold by it." Referred to Committee on Revenue and Taxation.

House Bill No. 211, introduced by Malee: A Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 19 of Article VIII of the Constitution of the State of Montana relating to the qualifications and terms of office of County Attorneys." Referred to Committee on Judiciary.

House Bill No. 212, introduced by Cannon: A Bill for an Act entitled: "An Act to amend Section 1760, Revised Codes of Montana, 1935, as amended by Chapter 138, Laws of 1937, relating to registration of motor vehicles, fees, disposal of proceeds, fee for half year, dealers' registration and transfer thereof, and exempting public owned vehicles; and providing fees for tractors, defining same, and fees for trailers and semi-trailers." Referred to Committee on Highways.

House Bill No. 213, introduced by Byrne: A Bill for an Act entitled: "An Act creating a commission to be known as the State Insurance Commission, composed of the State Auditor-Ex Officio Commissioner of Insurance, State Accountant and Chairman of the State Board of Equalization, all serving without additional compensation, and prescribing the duties of said commission." Referred to Committee on Insurance.

House Bill No. 214, introduced by Watson: A Bill for an Act entitled: "An Act to amend Section 1262.83 of the Revised Codes of the State of Montana of 1935, relating to purchases by Boards of Trustees of County High Schools and of School Districts for High School purposes of lands contiguous to a high school building without calling for a vote of the qualified electors; and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Education.

House Bill No. 215, introduced by Watson: A Bill for an Act entitled: "An Act to amend Section 1262.14 of the Revised Codes of the State of Montana of 1935, relating to and increasing the bond limit of counties of the Fifth Class for County High School purposes." Referred to Committee on Education.

House Bill No. 216, introduced by Stevens and Antrim: A Bill for an Act entitled: "An Act to amend Chapter 13 of Political Code of Montana of 1935, by adding thereto new sections numbered: Sections 107.1, 107.2, 107.3, 107.4, prohibiting an elector who has once signed a proposed petition for initiative or referendum petition under and in accordance with the provisions of said Chapter from withdrawing his name from said petition, and prohibiting the County Clerk and Recorder, and the Secretary of State from accepting, certifying, or giving credit for any such withdrawal petitions." Referred to Committee on Judiciary.

House Bill No. 217, introduced by Committee on Conservation of Resources: A Bill for an Act entitled: "An Act for the purpose of providing for the conservation, protection, restoration, and proper utilization of grass and forage resources of the State of Montana as a means of restoration and maintenance of the prosperity and general welfare of the state: Defining terms, words and phrases; creating the Montana Grass Conservation Commission: Defining its purpose: Providing for the membership, the appointment and expenses thereof; defining the powers and prescribing the duties of said commission; granting certain authority over State Grazing Districts and the power to hear and determine controversies between Grazing Districts or Grazing Districts and members or non-members thereof: Providing for the appointment of a State Administrator of Grass Conservation; his compensation and defining his powers and duties; providing for hearings by the Administrator or any member of the Commission delegated to hold the same and for appeal to the Montana Commission from the decision and orders thereon; providing for an appeal to the District Court from a decision of the Commission; creating a fund to be known as the State Grass Conservation Fund and providing for the assessment and collection of fees to defray the expenses of said Commission; providing for the creation and the incorporation of Cooperative Grazing Districts and defining their powers and duties; and defining who may become members thereof; and the rights and privileges of members; to authorize such districts to purchase grass seed, livestock, supplies, to lease State Lands and other lands, and to undertake reseeding of depleted range areas or abandoned farm lands, purchase or otherwise acquire the possession of land for grazing purposes, conservation, restoration and improvement of forage resources; granting to the Montana Grass Conservation Commission supervisory authority over grazing districts; providing for cooperation of and with governmental and state departments or agencies; defining the manner of distributing grazing preferences and revocation thereof; providing for the liquidation of the assets of a district upon its dissolution and providing the compensation to a district for range improvements by subsequent lessees or owners of land; providing for crossing privileges; providing for the use of lands lying within the exterior boundaries of a district controlled by a non-member; to grant the commission the authority to prepare and approve rules and regulations for the purpose of carrying out the provisions of this Act; to define the terms trespass and legal fence as related to grazing districts and provide penalties for the violation thereof; providing for the reservation of range for wild life and repealing Sections 7364.7 to 7364.29 inclusive, of the Revised Codes of Montana, 1935, and providing for the Associations Incorporated

under previous Acts to comply with the provisions of this Act. Referred to Committee on Conservation of Resources.

House Bill No. 218, introduced by Morrison of Lewis and Clark: A Bill for an Act entitled: "An Act to endow the State Board of Health of the State of Montana with powers to operate as a pneumonia control agency for the State of Montana, stating the function and prescribing the duties of such board in connection therewith; providing for distribution of pneumonia serum; establishing a fund therefor and appropriating the sum of Ten Thousand (\$10,000) Dollars for such fund subject to disbursement, replenishment and continuance upon a revolving basis." Referred to Committee on State Boards and Offices.

House Bill No. 219, introduced by Spiegel and McGee: A Bill for an Act entitled: "An Act to preserve the coal resources of the State of Montana from too rapid exhaustion without corresponding benefit to the state and to classify methods of mining coal and to distinguish underground mining of coal from strip mining of coal and open pit mining of coal; and an Act to amend Section 2316 to 2326, Revised Codes of Montana, 1935, requiring every person, firm, association, joint stock company and corporation, engaged in or carrying on the business of coal mining, or engaged in working or operating any mine or mining property in the State of Montana, from which coal is mined, produced or extracted, to pay to the State Treasurer for engaging in and carrying on such business by any method, certain license taxes for the exclusive use and benefit of the State of Montana; fixing the amount and disposition of such license taxes; prescribing a method for the assessment and collection thereof; and prescribing the penalties for the violations of the provisions of this Act." Referred to Committee on Revenue and Taxation.

House Bill No. 220, introduced by Stromnes, by request: A Bill for an Act entitled: "An Act relating to the right to inherit of persons not citizens of the United States and residing in foreign countries; providing for the disposition of money and property which but for the provisions of this Act would have been transferred to certain of such persons; prescribing the duties of executors, administrators and certain county officers in regard thereto; and repealing all Acts and parts of Acts in conflict therewith." Referred to Committee on Judiciary.

House Joint Memorial No. 12, introduced by Lambert: "A Memorial to the Congress of the United States requesting the enactment of Home Security legislation to be supplemented by legislation in the several states, exempting small homes and small parcels of land used for producing food for consumption in said respective homes from taxation and attachments and execution, except for debt incurred in acquiring and improving said homes and land to the end that private local capital and employment of local labor may be stimulated; the standard of the American Home and living raised, and respect for American traditions and institutions increased." Referred to Committee on Federal Relations.

House Joint Memorial No. 13, introduced by Baker and Byrne: "A Memorial to the Congress of the United States requesting the enactment of appropriate legislation to protect the citizens of the State of Montana against the importation of natural gas from the Dominion of Canada." Referred to Committee on Federal Relations.

House Joint Memorial No. 14, introduced by the Committee on Agriculture: "A Memorial to the Congress of the United States urging amendments to existing laws pertaining to agriculture affecting wheat production in Montana; requesting quotas in wheat production be changed from an acreage basis to a bushel basis; urging provision of means for raising revenue for the purpose of insuring a parity price for wheat produced." Referred to Committee on Federal Relations.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following correctly enrolled: House Bills Nos. 35, 65 and 12. House Joint Memorial Nos. 1 and 3.

COLE (Prairie),
Vice-Chairman.

Report adopted.

I have examined House Bill No. 65, introduced by me and find the same to be correct.

BROWER.

I have examined House Bill No. 35, introduced by me and find the same to be correct.

METLEN.

I have examined House Bill No. 12, introduced by me and find the same to be correct.

PADBURY.

I have examined House Joint Memorial No. 3, introduced by me and find the same to be correct.

LIGGETT.

I have examined House Joint Memorial No. 1, introduced by me and find the same to be correct.

MARTIN.

The Speaker signed the following in open session: House Bills Nos. 35, 65 and 12; House Joint Memorials Nos. 1 and 3.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 82 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Brower, Brown, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Emswiler, Freshman, Gebhardt, Green, Hageman, Hammond, Hess, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, Melin, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Scofield, Sorte, Stafford, Stevens, Stewart, Strommes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Bower and Mr. Speaker. Total 80.

Noes: Cannon, McGee, McLeod, Ryan, Spiegel and Zuck. Total 6.

Absent and not voting: Acher, D'Ewart, Dunn, Ekern, Findlater, Flynn, Friedl, Goodwin, Hoiness, Horrigan, Lehrkind, Leuthold, McKenna, Rice, Siegling and Smith. Total 16.

House Bill No. 96 was passed by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Beadle, Bower, Brown, Cannon, Cole (Petroleum), Dougherty, Dunn, Emswiler, Freshman, Gebhardt, Green, Hageman, Hammond, Horrigan,

Kirschner, Lambert, Liggett, Lippard, Listug, Long, Loughran, Malee, McCarthy, McFatridge, McLeod, Metlen, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Potter, Reed, Rice, Roehl, Ryan, Scofield, Smith, Sorte, Spiegel, Stevens, Stewart, Stromnes, Sullivan, Vanderbeck, Wenger, Wilson, Siegling and Woods. Total 54.

Noes: Acton, Antrim, Armstrong, Balgord, Beck, Berthot, Bjorneby, Brower, Byrne, Clark, Cole (Prairie), Collins, Daniel, DeDobbeleer, Duncan, Flynn, Hess, Hoiness, James, Kellogg, Laubach, Longenecker, Lowe, Lynch, Martin, McClain, McGee, Melin, Moss (Flathead), Parker (Wibaux), Parker (Flathead), Petersen, Stafford, Tyler, Watson, Williams, Zuck and Mr. Speaker. Total 38.

Absent and not voting: Acher, D'Ewart, Ekern, Friedl, Goodwin, Lehrkind, Leuthold, McKenna. Total 8.

Paired: Findlater and Miles. Total 2.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Smith in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend: That House Bills Nos. 122, 54, 36 and 109 do pass. That the enacting clause be stricken from House Bill No. 23.

SMITH, Chairman.

It was moved by Smith, duly seconded, that the report of the Committee be adopted.

On substitute motion, it was moved by Williams, duly seconded, that House Bill No. 36 be segregated from the report of the Committee of the Whole. Motion was lost.

On substitute motion, it was moved by McLeod, duly seconded, that House Bill No. 23 be segregated from the report of the Committee of the Whole. A roll call, to be entered in the Journal, was requested by the required number, and motion to segregate House Bill No. 23 passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Baker, Balgord, Beadle, Bjorneby, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Dunn, Findlater, Flynn, Freshman, Gebhardt, Hammond, Hess, Hoiness, Horrigan, James, Kirschner, Laubach, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McLeod, Melin, Metlin, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods and Mr. Speaker. Total 78.

Noes: Antrim, Aronson, Beck, Bower, D'Ewart, Duncan, Emswiler, Green, Hageman, Kellogg, Lambert, Lehrkind, Lynch, Miles, Rice, Tyler and Zuck. Total 17.

Absent and not voting: Acher, Berthot, Ekern, Friedl, Goodwin and McKenna. Total 6.

Passed: Petersen. Total 1.

Whereupon, motion to adopt the report of the Committee of the Whole, as amended, was carried.

It was moved by McLeod, duly seconded and carried, that House Bill No. 23 be taken from General Orders and re-referred to the Committee on Revenue and Taxation.

It was moved by McLeod, duly seconded and carried, that the House recess until 2:45 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 136, 140, 161, 60, 119, 182 and Substitute House Bills 13, 14 and 51, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills No. 66 and 6.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bills Nos. 54, 107 and 109; House Joint Memorial No. 5, beg leave to recommend that the same be considered correctly engrossed.

RICE, Chairman.

Report adopted.

NOTICES

Authors gave notice, that they would on tomorrow or some subsequent day introduce the following:

By Committee on Labor: A Bill for an Act entitled: "An Act prescribing the hours of labor for persons employed in or about hotels and tourist camps; providing exemptions therefrom; providing penalties for a violation thereof and repealing all Acts and parts of Acts in conflict herewith."

By Duncan, Flynn and McClain: A Bill for an Act entitled: "An Act to amend Section 1035 of the Revised Codes of Montana of 1935, relating to the formation of joint school districts (districts lying partly in one county and partly in another, and providing for the procedure for the creation of said districts, and providing for the procedure on appeal to the Boards of County Commissioners."

By Education Committee: A Bill for an Act entitled: "An Act to amend Sections 1187, 1188, 1191 of the Revised Codes of Montana of 1935, relating to textbooks."

By McFatridge: A Bill for an Act entitled: "An Act to fix the annual compensation of the Deputy Secretary of State."

By Reed: A Bill for an Act entitled: "An Act to return to the counties of the State of Montana a proportionate share of the net profits of the Montana Liquor Control Board."

By Miles: A Bill for an Act entitled: "An Act to appropriate Thirty Thousand (\$30,000) Dollars per annum to aid in the continuation of the cooperative work now being carried on by the Montana Livestock Commission and Fish and Game Commission and the Federal Agencies in the control of predatory animals in the State of Montana and said funds to be

subject to the order of the Livestock Commission of the State of Montana."

By Zuck, Listug, Leuthold, et al.: A Bill for an Act entitled: "An Act amending Section 4487, Revised Codes of Montana, 1935, relating to extension work in agriculture and home economics and allowing County Commissioners to appropriate money for such work; by providing further that no County Agent shall be appointed except upon petition of the qualified electors of the county living outside incorporated cities and towns."

By Dunn: A Bill for an Act entitled: "An Act to amend Section 1999 of the Revised Codes of the State of Montana, 1935, as amended by Chapter 130 of the Laws of Montana, Twenty-fifth Session, 1937, relating to the classification of property for taxation."

By Flynn: A Bill for an Act entitled: "An Act requiring the Montana Fish and Game Commission to co-operate and agree with the Superintendents, or other proper officers, of National Parks with regard to the open and closed seasons for taking fish from waters which are partly within National Parks and partly outside thereof and within the State of Montana."

By Morrison and Rice: A Bill for an Act entitled: "An Act relating to copyrights and public performing rights in musical compositions, and dramatico-musical compositions, the registration thereof describing each such musical composition and dramatico-musical composition, the performing rights intended to be sold, licensed or otherwise disposed of in the State of Montana, showing the name and title of the copyrighted composition, the date of the copyright, the number or other identifying symbol given thereto in the United States copyright office, the name of the author, the name of the publisher, the name of the present owner of the copyright to such composition, the name of the present owner of the performing rights thereto, requiring the filing of such descriptive lists in the office of the Secretary of State of Montana, making such lists available for examination and the taking of copies thereof, providing for the publication of such lists in the discretion of the Secretary of State and the duties of the Secretary of State. Providing the method for computing charges or compensation in certain cases. Authorizing and permitting the Secretary of State of Montana to accept service of process in suits or proceedings arising under the Act and describing the method to be followed, and the fees to be charged therefor; and the duties of the Secretary of State in relation thereto, providing for pleading and proving compliance with the Act. Providing penalties for the violation thereof and repealing Chapter 90 of the Laws of Twenty-fifth Legislative Session of 1937."

By McLeod, Anderson (Cascade), Siegling, Stromnes, Stafford, Stevens, Martin, Melin, Beadle, Cannon and Sullivan: A Bill for an Act entitled: "An Act for the payment of Old Age Pensions; establishing State and County Old Age Pension Commissions and prescribing their duties as such; defining the qualifications of those entitled to receive Old Age Pensions; providing for the administration of said Act; providing for the establishment of a State Old Age Pension Fund; providing that aid from the United States government in furtherance of this Act be placed in said fund; providing forms for applications for pension and investigation of applications; providing for the granting of assistance and to whom paid; providing the right of appeal; providing for reports; prohibiting the assigning of grants; making certain Acts fraudulent; and repealing all Acts in conflict herewith."

By Committee on Education: A Bill for an Act entitled: "An Act to amend Sections 1187, 1188, 1191, of the Revised Codes of Montana of 1935, relating to textbooks."

By McFatridge, Hoiness and Morrison: A Bill for an Act entitled: "An Act to amend Section 1005 of the Revised Codes of Montana of 1935, relating to the organization of school trustees."

By Committee on Education: A Bill for an Act entitled: "An Act to amend Subsection 2 of Section 1015 of the Revised Codes of Montana of 1935, relating to the employment of teachers and other persons and providing for the payment of face-value of the contracts."

By Committee on Education: A Bill for an Act entitled: "An Act to amend Section 1, Chapter 118 of the Laws of the Twenty-first Legislative Assembly of 1929, relating to the qualifications of County Superintendents of Schools."

By Education Committee: A House Joint Resolution entitled: "A Joint Resolution providing for a commission to study the school district system in Montana, to make recommendation looking to the improvement of said system, and to provide for an appropriation to cover the expense of the commission."

By Byrne and Zuck: A Bill for an Act entitled: "An Act to amend Section 7 of Chapter 85, Laws of the Twenty-fifth Legislative Assembly, 1937, relating to continuance of an emergency and continuing in force the provisions of said Chapter 85."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Apportionment and Representation, having had under consideration House Bill No. 186, respectfully report as follows: That House Bill No. 186 do pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 106, respectfully report as follows: That House Bill No. 106 do not pass.

MALEE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Dairying, having had under consideration House Bill No. 201, respectfully report as follows: That House Bill No. 201 do pass.

PETERSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 197, respectfully report as follows: That House Bill No. 197 do pass.

DEDOBBELEER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 132, respectfully report as follows: That House Bill No. 132 as amended after the words "active duty" insert the following words: "and has reached or shall hereafter reach the age of fifty (50) years." Do pass as amended.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 214, respectfully report as follows: That House Bill No. 214 do pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 120, respectfully report as follows:

That House Bill No. 120 do not pass, but that Substitute House Bill No. 120, entitled:

"An Act relating to the power of any city, town, school district or board to operate a program of public recreation and playgrounds, to acquire, equip and maintain land, buildings and/or other recreational facilities, to expend funds therefor; and providing for supervision by the State Board of Education in certain cases, and repealing all Acts and parts of Acts in conflict therewith." Do pass.

McCLAIN, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 52 and 27, having been amended by the Senate, were read this day three several times and concurred in as amended and are herewith returned to the House for concurrence in the Senate amendments.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 37 and 26, were this day read three several times and passed, title and history agreed to, and are herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 33, was this day read three several times and passed as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

GEORGE A. BURR,

Secretary of the Senate.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Bill No. 221, introduced by Smith, Gebhardt, Dunn, Morrison, Stewart, Padbury, Stafford, Lambert, Beadle, Miles, Strommes and Hoiness: A Bill for an Act entitled: "An Act to amend Sections 3228.1, 3228.2, 3228.3, 3228.4 3228.5 3228.7, 3228.8, 3228.9, 3228.10, 3228.11, 3228.13, 3228.15, 3228.16 and 3228.17 of the Revised Codes of Montana of 1935, regulating the occupation of hair dressers and cosmetologists, and establishing the requirements for obtaining a license to practice or teach cosmetology, and the regulation of schools of cosmetology providing and prescribing the powers of the State Board of Beauty Culture." Referred to Committee on Public Health and Sanitary Affairs.

House Bill No. 222, introduced by Lambert: A Bill for an Act entitled: "An Act relating to the removal from the State of Montana of persons convicted of crimes, feeble minded persons, insane persons, inebriates and dipsomaniacs, persons addicted to the use of narcotics and poor and indigent persons who are not residents of the State of Montana, or who are aliens, defining terms used therein; empowering the State Department of Public Welfare to make reciprocal agreements with other states in regard thereto and repealing all Acts and parts of Acts in conflict therewith." Referred to Committee on Public Health and Sanitary Affairs.

House Bill No. 223, introduced by Martin, Melin, Flynn, Ekern and Lambert: A Bill for an Act entitled: "An Act to provide medical and hospital care for persons unable to pay the same; prescribing regulations and authorizing the imposition of a tax for such purpose and the re-

pealing of Section 4465.4, Revised Codes of Montana, 1935, and all Acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Bill No. 224, introduced by Longenecker: A Bill for an Act entitled: "An Act to provide for a local option election upon the question of the sale of intoxicating liquors except non-intoxicating beer in any County of the State." Referred to Committee on Public Health and Sanitary Affairs.

House Bill No. 225, introduced by Moss (Flathead), Byrne, Melin, Parker (Flathead). A Bill for an Act entitled: "An Act to amend Section 10 of Chapter 84, Laws of 1937, relating to the persons ineligible for license to sell liquor at retail." Referred to Committee on Public Morals, Charities and Reforms.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

House Bill No. 66, was passed by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Findlater, Flynn, Freshman, Gebhardt, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Listug, Long, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McLeod, Melin, Moss (Flathead), Murray, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Rice, Roehl, Ryan, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Wenger, Williams, Zuck and Mr. Speaker. Total 66.

Noes: Acton, Antrim, Armstrong, D'Ewart, Duncan, Emswiler, Hammond, Longenecker, Metlen, Miles, Morrison, Padbury, Potter and Scofield. Total 14.

Absent and not voting: Acher, Bower, Dunn, Ekern, Friedl, Goodwin, Green, Hageman, Horrigan, Lehrkind, Lippard, Lowe, McGee, McKenna, Moss (Custer), O'Connor, Stromnes and Woods. Total 18.

Passed: Liggett, Newell, Watson and Wilson. Total 4.

House Bill No. 54 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Brower, Brown, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McClain, McFatrige, McLeod, Melin, Metlin, Miles, Morrison, Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 85.

Noes: Cannon, Murray, Ryan and Sullivan. Total 4.

Absent and not voting: Acher, Anderson (Cascade), Friedl, Goodwin, Horrigan, Lehrkind, Lippard, McCarthy, McGee, McKenna, Moss (Flathead), Stromnes and Woods. Total 13.

House Bill No. 107 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Green, Hageman, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McClain, McFatrige, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Smith, Sorte, Spiegel, Stafford, Stevens, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 89.

Absent and not voting: Acher, Friedl, Goodwin, Hammond, Horrigan, Lehrkind, Lippard, McCarthy, McGee, McKenna, Moss (Flathead), Siegel and Stewart. Total 13.

House Bill No. 109 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Ekern, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Green, Hageman, Hess, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McClain, McFatrige, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Parker (Flathead), Peterson, Potter, Reed, Rice, Roehl, Scofield, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 83.

Noes: Brown, Murray and Ryan. Total 3.

Absent and not voting: Acher, Dunn, Friedl, Goodwin, Hammond, Hoiness, Lehrkind, Lippard, Malee, McCarthy, McGee, McKenna, Moss (Flathead), O'Connor, Siegling and Stromnes. Total 16.

House Joint Memorial No. 5, failed to pass by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Beadle, Beck, Bjorneby, Bower, Brown, Cannon, Daniel, DeDobbeleer, Ekern, Flynn, Freshman, Hess, Lambert, Laubach, Long, Loughran, Malee, Martin, McCarthy, McClain, McGee, McLeod, Melin, Moss (Custer), Murray, Parker (Wibaux), Petersen, Rice, Ryan, Smith, Sorte, Spiegel, Stafford, Sullivan, Tyler, Wenger, Zuck and Mr. Speaker. Total 40.

Noes: Acton, Antrim, Armstrong, Aronson, Baker, Balgord, Berthot, Brower, Byrne, Clark, Cole (Petroleum), Cole, (Prairie), Collins, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Gebhardt, Green, Hageman, Hammond, Hoiness, Horrigan, Kellogg, Kirscher, Lehrkind, Leuthold, Liggett, Listug, Longenecker, Lowe, Lynch, McFatrige, Metlen, Miles, Morrison, Moss (Flathead), Newell, O'Connor, Padbury, Parker (Flathead), Potter, Reed, Roehl, Scofield, Stevens, Stewart, Stromnes, Watson, Williams, Wilson and Woods. Total 54.

Absent and not voting: Acher, Friedl, Goodwin, James, Lippard, McKenna, Siegling and Vanderbeck. Total 8.

House Bill No. 6, was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Aronson, Baker, Balgord, Beck, Berthot, Bjorneby, Bower, Brown, Byrne, Clark, Cole (Petro-

leum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Dunn, Ekern, Emswiler, Findlater, Freshman, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Stevens, Stewart, Stromnes, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 82.

Noes: Anderson (Cascade), Beadle, Brower, Cannon, D'Ewart, Duncan, Flynn, McLeod, Murray, Ryan, Spiegel, Stafford, Sullivan. Total 13.

Absent and not voting: Acher, Armstrong, Friedl, Goodwin, Lippard, McKenna and Metlen. Total 7.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole, for consideration of General Orders, under the rules of the previous sitting, and that there be no yielding of time.

Smith in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 112, be re-referred to the Committee on Highways and Highway Transportation.

That House Bills Nos. 46, 75, 150, 73 and 125 do pass.

That House Bill No. 130 be amended as follows: Amend Section 1, printed bill, by striking out the words in line 29 "One Thousand Eight Hundred" and inserting in lieu thereof the words "Two Thousand" and amend line 33 after the word "Assessor" by striking the word "fifteen" and inserting in lieu thereof the word "eighteen."

Amend Section 2, printed bill, in line 3, by striking the period after the word "auditor" and adding the words "and Assessor"; and that the same do pass as amended.

That consideration of House Bill No. 145 be passed for the day.

SMITH, Chairman.

It was moved by Smith, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Malee, duly seconded and carried, that House Bill No. 125 be segregated from the report of the Committee of the Whole. Whereupon, Committee of the Whole report was adopted as amended.

MOTIONS AND RESOLUTIONS

It was moved by Malee, duly seconded and carried, that House Bill No. 125 be taken from General Orders and re-referred to the Committee on State Institutions, Public Buildings and Grounds.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Friday, February 3rd, 1939, at 10:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

THIRTY-THIRD DAY

House of Representatives,
Helena, Montana,
February 3, 1939.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call all members were present except the following who were excused: Acher, Friedl, Longenecker and McKenna.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-Second Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice that on tomorrow or some subsequent day they would introduce the following:

By McLeod, Murray and Anderson (Cascade): A Bill for an Act entitled: "An Act to amend Section 6112 of the Revised Codes of Montana, relating to the license fee of insurance corporations, associations, and societies."

By Bjerneby, Parker (Wibaux), Spiegel, Anderson (Cascade), Beadle, Brown, Moss (Custer), Ryan, Daniel and McClain: A Bill for an Act entitled: "An Act providing for a license to be paid by all persons, firms and corporations engaged in the business of banking in this state or who may hereafter be engaged in such business: Fixing the amount of such license; specifying the manner of collection thereof, disposition of funds and the penalty for a violation of this Act."

By Bjerneby: A Bill for an Act entitled: "An Act providing for the safeguarding by insurance against direct loss by fire, lightning, tornado, windstorm, cyclone, hail and explosion; providing for the establishment of a fund to be known as the "State Property Insurance Fund"; providing for the call for bids on the insurance to protect state property; providing for standard forms for the hazards insured against; providing for the insurance under the provisions of this Act as present insurance expires; providing for otherwise insuring if required by the administration of public works; providing for appropriation for such insurance for the biennium, July 1, 1939 to June 30, 1941; to provide for an appropriation for excess insurance purchased by the Board of Examiners for the biennium July 1, 1939 to June 30, 1941; providing for validity of the Act; and repealing all Acts and parts of Acts in conflict herewith."

By Watson: A Bill for an Act entitled: "An Act giving power to the Board of Trustees of any school district to sell and dispose of, or to exchange school property which has become or is about to become abandoned as unsuitable for school purposes of said district; and providing the procedure to be followed."

By Duncan: A Bill for an Act entitled: "An Act to amend Chapter 15 Laws of 1937, relating to the hours of work of members of paid fire departments of cities of the First Class, providing a minimum compensation for members of paid fire departments of cities of the First Class and repealing all Acts and parts of Acts in conflict herewith."

By Acton: A Bill for an Act entitled: "An Act amending Section 440, Revised Codes of the State of Montana, 1935, relating to salaries of Deputy State Officers, Clerks, Stenographers and Employees."

The Speaker signed the following in open session: Senate Joint Memorial No. 4, and Senate Bill No. 1.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration House Bill No. 169, respectfully report as follows: That House Bill No. 169 do not pass.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration House Bill No. 166, respectfully report as follows: That House Bill No. 166 do not pass.

TYLER, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 21, was upon this day in the Senate not concurred in, and is herewith returned to the House.

Respectfully,

GEORGE A. BURR,

Secretary of the Senate.

Mr. Speaker: We, your Committee on Engrossing beg leave to report the following bills correctly engrossed: House Bill No. 126.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bills Nos. 46, 75 and 150, beg leave to recommend that the same be considered correctly engrossed.

RICE, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees; all appropriation measures having been read at length:

House Bill No. 226: Introduced by Byrne and Zuck: A Bill for an Act entitled: "An Act to amend Section 7 of Chapter 85, Laws of the Twenty-Fifth Legislative Assembly, 1937, relating to continuance of an emergency and continuing in force the provisions of said Chapter 85." Referred to Committee on Judiciary.

House Bill No. 227: Introduced by Zuck and others: A Bill for an Act entitled: "An Act amending Section 4487, Revised Codes of Montana, 1935, relating to extension work in agriculture and home economics and allowing County Commissioners to appropriate money for such work; by providing further that no County Agent shall be appointed except upon petition of the qualified electors of the county living outside incorporated cities and towns." Referred to Committee on Agriculture.

House Bill No. 228. Introduced by Morrison, McFatrige and Hoiness: A Bill for an Act entitled: "An Act to amend Section 1005 of the Revised Codes of Montana of 1935, relating to the organization of school trustees." Referred to Committee on Education.

House Bill No. 229: Introduced by Dunn: A Bill for an Act entitled: "An Act to amend Section 1999 of the Revised Codes of the State of Montana, 1935, as amended by Chapter 130 of the Laws of Montana, Twenty-

Fifth Session, 1937, relating to the classification of property for taxation." Referred to Committee on Revenue and Taxation.

House Bill No. 230: Introduced by Siegling: A Bill for an Act entitled: "An Act assenting to the provisions of the Act of Congress entitled: 'An Act to provide that the United States shall aid the states in wild life-restoration projects, and for other purposes,' approved September 2, 1937; vesting certain authority in the Montana Fish and Game Commission in connection therewith and providing for disposition of funds realized thereunder." Referred to Committee on Fish and Game.

House Bill No. 231: Introduced by Highway Committee: A Bill for an Act entitled: "An Act to provide for the reporting of Accidents upon the public highways; to provide for the duties of persons involved in such accidents; to require persons involved in such accidents to furnish certain information and to make reports thereof; authorizing incorporated cities to require the filing of reports of accidents; providing other regulations relating to the public highways and providing penalties for the violation of the provisions thereof." Referred to Committee on Highways.

House Bill No. 232: Introduced by McFatrige: A Bill for an Act entitled: "An Act to fix the annual compensation of the Deputy Secretary of State." Referred to Committee on State Boards and Offices.

House Bill No. 233: Introduced by Committee on Labor: A Bill for an Act entitled: "An Act prescribing the hours of labor for persons employed in or about hotels and tourist camps; providing exemptions therefrom; providing penalties for a violation thereof and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Labor.

House Bill No. 234: Introduced by Reed (by request): A Bill for an Act entitled: "An Act to return to the counties of the State of Montana a proportionate share of the net profits of the Montana Liquor Control Board." Referred to Committee on Revenue and Taxation.

House Bill No. 235: Introduced by Committee on Highways: A Bill for an Act entitled: "An Act to amend Section 1704, Revised Codes of Montana, 1935, providing for the levying of a Special Bridge Tax." Referred to Committee on Revenue and Taxation.

House Bill No. 236: Introduced by Duncan: A Bill for an Act entitled: "An Act to amend Section 3722 of the Revised Codes of Montana, 1935, relating to protection of beaver, and beaver license and tagging, and repealing all laws in conflict therewith." Referred to Committee on Fish and Game.

House Bill No. 237: Introduced by D'Ewart and Metlen: A Bill for an Act entitled: "An Act to amend Sections 1805.21. 1805.23 and 1805.24 of the Revised Codes of Montana of 1935, relating to leasing of State Lands, renewal of such leases, qualifications of lessees, amount of land which may be embraced in leases, period of lease and lease expiration dates." Referred to Committee on State Lands.

House Bill No. 238: Introduced by Smith and Stewart: A Bill for an Act entitled: "An Act to amend Section 1741.9 of the Revised Codes of the State of Montana of 1935, as amended by Chapter 62 of the Laws of Montana, Twenty-Fifth Session, 1937, relating to arrest by Highway Patrolmen and empowering therein patrolmen to stop motor vehicles transporting livestock or livestock products and take possession of the same whenever they have good reason to believe such are stolen." Referred to Committee on Highways.

House Bill No. 239: Introduced by Committee on Appropriations: A Bill for an Act entitled: "An Act to provide for the repayment of the pro rata amount of premiums paid under the State Fire Insurance Act by Counties and School Districts, for the unused portion of such premiums." Referred to Committee on Appropriations.

House Bill No. 240: Introduced by Ryan and Murray: A Bill for an Act entitled: "An Act limiting the powers of trustees of Cemetery Associations, requiring the employment of Montana labor in the construction of burial vaults; providing for a penalty; and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Labor.

House Bill No. 241: Introduced by Duncan, Flynn and McClain: A Bill for an Act entitled: "An Act to amend Section 1035 of the Revised Codes of Montana of 1935, relating to the formation of Joint School Districts (districts lying partly in one county and partly in another), and providing for the procedure for the creation of said districts, and providing for the procedure on appeal to the Boards of County Commissioners." Referred to Committee on Education.

House Bill No. 242: Introduced by Flynn: A Bill for an Act entitled: "An Act amending Section 310, Revised Codes of Montana, 1935, relating to the employment of the custodian of the State Capitol and fixing the salary therefor." Referred to Committee on State Boards and Offices.

House Bill No. 243: Introduced by Flynn by request: A Bill for an Act entitled: "An Act requiring the Montana Fish and Game Commission to co-operate and agree with the superintendents, or other proper officers, of National Parks with regard to the open and closed seasons for taking Fish from waters which are partly within National Parks and partly outside thereof and within the State of Montana." Referred to Committee on Fish and Game.

House Bill No. 244: Introduced by Committee on Education: A Bill for an Act entitled: "An Act to amend Subsection 2 of Section 1015 of the Revised Codes of Montana of 1935 relating to the employment of teachers and other persons and providing for the payment of face-value of the contracts." Referred to Committee on Education.

House Bill No. 245: Introduced by Committee on Education: A Bill for an Act entitled: "An Act to amend Sections 1187, 1188, 1191, of the Revised Codes of Montana of 1935, relating to text-books." Referred to the Committee on Education.

House Bill No. 246: Introduced by Morrison and Rice: A Bill for an Act entitled: "An Act relating to copyrights and public performing rights in musical compositions, and dramatico-musical compositions, the registration thereof describing each such musical composition and dramatico-musical composition, the performing rights intended to be sold, licensed or otherwise disposed of in the State of Montana, showing the name and title of the copyrighted composition, the date of the copyright, the number or other identifying symbol given thereto in the United States copyright office, the name of the author, the name of the publisher, the name of the present owner of the copyright to such composition, the name of the present owner of the performing rights thereto, requiring the filing of such descriptive lists in the office of the Secretary of State of Montana, making such lists available for examination and the taking of copies thereof, providing for the publication of such lists in the discretion of the Secretary of State and the duties of the Secretary of State. Providing the method for computing charges or compensation in certain cases. Authorizing and permitting the Secretary of State of Montana to accept service of process in suits or proceedings arising under the Act and describing the method to be followed, and the duties of the Secretary of State in relation thereto, and the fees to be charged therefor; providing for pleading and proving compliance with the Act. Providing penalties for the violation thereof and repealing Chapter 90 of the Laws of the Twenty-Fifth Legislative Session of 1937." Referred to Committee on Judiciary.

House Joint Memorial No. 15: Introduced by Baker, Hoiness, D'Ewart, Listug, Lowe, James, Zuck, McClain, Acton and Leuthold: "A Memorial to the President, Senate and House of Representatives of the United States in Congress Assembled and the Secretary of Agriculture." Referred to Committee on Federal Relations.

House Joint Resolution No. 4: Introduced by Committee on Education: "A Joint Resolution providing for a Commission to study the school district system in Montana, to make recommendation looking to the improvement of said system, and to provide for an appropriation to cover the expense of the commission." Referred to Committee on Appropriations.

Senate Bill No. 32: Introduced by Campbell (Missoula): A Bill for an Act entitled: "An Act to amend Section 4139.12 of the Revised Codes of Montana, 1935, relating to abstract books or indices required under certain conditions." Referred to Committee on Judiciary.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

House Bill No. 126 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Hageman, Hammond, Hess, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McLeod, Melin, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Roehl, Ryan, Sorte, Spiegel, Stafford, Stevens, Stewart, Strommes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson and Mr. Speaker. Total 81.

Noes: Green, Miles, O'Connor, Scofield and Zusk. Total 5.

Absent and not voting: Acher, Antrim, Baker, Brower, Byrne, Friedl, Hoiness, Lippard, Longenecker, McKenna, Metlen, Moss (Flathead), Petersen, Siegling, Smith and Woods. Total 16.

House Bill No. 36, was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McLeod, Melin, Miles, Morrison, Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Smith, Spiegel, Stafford, Stevens, Stewart, Sullivan, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck and Mr. Speaker. Total 80.

Noes: Brown, Cannon, Long, Murray, Ryan and Sorte. Total 6.

Absent: Acher, Baker, Byrne, Flynn, Friedl, Hoiness, Lippard, Listug, Longenecker, McKenna, Metlen, Moss (Flathead), Siegling, Strommes, Tyler and Woods. Total 16.

House Bill No. 75 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel,

DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lamber, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 90.

Noes: Brown, McGee, Murray and Ryan. Total 4.

Absent: Acher, Baker, Byrne, Friedl, Longenecker, McKenna, Moss (Flathead), and Siegling. Total 8.

House Bill No. 150, was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Wilson, Woods, Zuck and Mr. Speaker. Total 90.

Absent: Acher, Ekern, Friedl, Hoiness, Horrigan, James, Longenecker, McKenna, Moss (Flathead), Potter, Stromnes and Williams. Total 12.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 34, 44.

N. A. COLE, Chairman.

Report adopted.

I have examined House Bills 34 and 44, introduced by me and find the same to be correct.

METLEN.

The Speaker signed the following in open session: House Bills Nos. 34 and 44.

MOTIONS AND RESOLUTIONS

It was moved by Stafford, duly seconded and carried, that the House reconsider its action in regard to House Bill No. 171.

It was moved by Stafford, duly seconded and carried, that House Bill No. 171 be referred to the Judiciary Committee.

It was moved by Anderson of Cascade, duly seconded and carried, that consideration of House Bill No. 136 be passed for the day.

It was moved by Rice, duly seconded and carried, that House Bill No. 168 be taken from General Orders and re-referred to the Committee on Livestock and Public Ranges.

It was moved by Flynn, duly seconded and carried, that House Bill No. 117, be taken from the Committee on Irrigation and Water Rights and referred to the Committee on Revenue and Taxation.

The following resolution, on motion by McLeod, duly seconded and carried, was adopted:

A RESOLUTION

WHEREAS, The House has been informed of the death of Mr. Longenecker, father of the Honorable H. H. Longenecker, a member of this House from Valley County,

THEREFORE, BE IT RESOLVED, That this House expresses to its bereaved member sincere sympathy.

BE IT FURTHER RESOLVED, That this Resolution be entered upon the Journal, and a copy thereof, attested by the Chief Clerk of the House, be presented to the Honorable H. H. Longenecker.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 80, 176 and 87, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

McClain in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 145 be amended as follows: "Amend Section 1 of the printed bill by striking out the last sentence in said section reading as follows: 'The Supreme Court Marshal must be a duly admitted attorney before the bar of the State of Montana'."

Amend Section 4 of the printed bill by striking the words in lines 4 and 5 reading as follows: "and who must be a duly admitted attorney before the bar of the State of Montana."

Amend Section 5 of the printed bill by striking the words in line 5 as follows "be an attorney duly admitted before the bar of the State of Montana, and" insert a comma after the word "shall" in line 4, and insert a comma after the word "Chapter" in line 6 and strike out the word "shall" after the word "Chapter" in line 6; and as amended, do pass:

That House Bill No. 60 do pass.

That House Bill No. 119 do pass.

That House Bill No. 182 do pass.

That House Bill No. 140 do pass.

That Substitute House Bill No. 51 do pass.

That House Bill No. 161 do pass.

McCLAIN, Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that the House recess until 3:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce the following:

By Watson: A Bill for an Act entitled: "An Act to repeal Chapter 52, laws of Montana, 1937, relating to the establishment, regulation, supervision, licensing and bonding of livestock markets and penalty for violations thereof."

By Lippard: A Bill for an Act entitled: "An Act to amend Section 2815.154, of the Revised Codes of Montana of 1935, being a part of the 'State Liquor Control Act of Montana'."

By Stromnes: A Bill for an Act entitled: "An Act appropriating money for the payment to the estate of Peter P. Lee, deceased, of the sum of Seven Hundred Thirty-eight and 86/100 Dollars (\$738.86), erroneously collected and paid into the State Treasury as inheritance taxes."

By Hoiness, Gebhardt, McFatridge, Hammond, Williams: A Bill for an Act entitled: "An Act to amend Section 6014.31 of the Revised Codes of Montana, 1935, so as to exclude amortized loans therefrom."

By McLeod: A Bill for an Act entitled: "An Act authorizing and directing the State Board of Land Commissioners or any other authority created by the Laws of the State of Montana for the purpose of acquiring and caring for areas, sites and objects of historic value to the state, to accept titles in the name of the State of Montana to Fort Benton and/or Fort Shaw if such title or titles hereafter be granted to said Board of Land Commissioners or other authority; authorizing said State Board of Land Commissioners or other authority to create state historical monuments out of the said Fort Shaw and/or Fort Benton as historical sites and for that purpose, make application to the United States Public Works Administration or to the Works Progress Administration or for assistance through a Civilian Conservation Corps Camp and to accept any donation, gift or devise for said purpose."

By Spiegel: A Bill for an Act entitled: "An Act defining a Legislative Day."

By Committee on Highways and Highway Transportation: A Bill for an Act entitled: "An Act repealing Sections 9430.2 and 9430.3, Revised Codes of Montana, 1935, and providing in what cases a motor vehicle may be exempt from attachment or execution."

By Bower by request: A Bill for an Act entitled: "An Act to amend Section 3776.7, Revised Codes of Montana, 1935, relating to the establishment and description of Little Saint Joe Game Preserve."

By Berthot: A Bill for an Act entitled: "An Act validating all sales of property heretofore made by the Board of County Commissioners of any County, the title to which was at the time of such sale held by the county for use by any high school or high schools of the county where the provisions of Section 4465.9 Revised Codes of Montana, 1935, have been complied with by such County Commissioners."

By Flynn and Morrison: A Bill for an Act entitled: "An Act to amend Section 5384 of the Revised Codes of Montana of 1935, relating to supervisory powers of mayor and councilmen—election and removal of officers—police judge, by eliminating therefrom the words 'chief of the fire department and chief of the police department'."

By Lambert: House Joint Memorial entitled: "A Memorial to the Congress of the United States requesting an investigation of certain homesteads on Indian lands in Valley, Daniels and Roosevelt counties in regard to settlement thereof, money paid therefor to the United States government, abandonment of such homesteads, and thereafter the enactment of legislation for refunding to such settlers or their heirs, who were compelled to abandon said land, of the amount paid therefor."

By Education Committee: A Bill for an Act entitled: "An Act to repeal Sections 1091, 1094, 1096, 1099, 1100 and 1104, and to amend Sec-

tions 1092 and 1095, Revised Codes of Montana, 1935, relating to the qualifications and issuance of teachers' certificates."

By Education Committee: A Bill for an Act entitled: "An Act to amend Section 931, Revised Codes of Montana, 1935, relating to election, qualification, oath and bond of the Superintendent of Public Instruction."

By Strommes by request: A Bill for an Act entitled: "An Act defining the qualifications of water works employees in the cities and towns in the State of Montana; providing for the creation of water works reserves, specifying salary limits thereof, and specifying the limits of tax levies therefor."

By Anderson (Phillips) and Woods: A Bill for an Act entitled: "An Act relating to the liability of counties for unlawful Acts of County Officers and repealing all Acts and parts of Acts in conflict therewith."

By Committee on Education: A Bill for an Act entitled: "An Act directing the appointment of a specialist in the field of health and physical education; the making of a survey and study of the health of school children; providing for the preparation, use, and supervision of a State-wide program of health and physical education in the public school; providing for teacher training in health and physical education; providing for an annual appropriation of not less than Seven Thousand Dollars (\$7,000.00) from the State Public School General Fund for payment of the salary and other expenses necessarily incurred in making effective the provisions of this Act."

By Committee on Education: A Bill for an Act entitled: "An Act directing the appointment of a specialist in the field of special education for the exceptional child; the making of a survey and study of the needs of such school children; providing for the preparation, use, and supervision of a State-wide program of special education for the exceptional child in the public school; providing for an annual appropriation of not less than Seven Thousand Dollars (\$7,000.00) from the State Public School General Fund for payment of the salary and other expenses necessarily incurred in making effective the provisions of this Act."

By Committee on Education: A Bill for an Act entitled: "An Act to amend Sections 1263.3, 1263.5, 1263.6, 1263.11, 1263.12, and 1263.19, all relating to high school budgets."

By Committee on Education: A Bill for an Act entitled: "An Act providing uniform transportation services for all public school pupils residing three or more miles from an open public school; defining "transportation" for the purpose of this Act so as to include services furnished in lieu of transportation; providing that school boards may operate busses and contract for "transportation" of pupils; providing that school boards may close schools and transport pupils to another school and providing that school boards shall pay for its pupils attending school in another district; providing that no school money shall be expended for "transportation" except to persons or firms holding legal contracts for the same; providing requirements as to busses, drivers and the operation of busses; fixing a schedule for individual "transportation"; providing basis on which any child attending other than a public school may ride on a public school bus; designating who is eligible to receive "transportation" from school districts; providing for the measurement of transportation distances in dispute and the settlement of transportation matters in controversy; providing for state reimbursement for transportation; providing a supplementary levy for transportation; and repealing Section 1010 of the Revised Codes of Montana of 1935."

By Education Committee: A Bill for an Act entitled: "An Act to amend Section 933, Revised Codes of Montana, 1935, as amended by Chapter 149, Laws of Montana, 1937, relating to the official staff of the Superintendent of Public Instruction, adding thereto a music supervisor, fixing the salary, and defining the duties of such supervisor."

By Wenger, Malee and Murray: A Bill for an Act entitled: "An Act to authorize the State of Montana to become indebted in the sum of One Million Five Hundred Thousand Dollars in excess of the Constitutional limitation of indebtedness and over and above any bonded indebtedness heretofore incurred or created and for which the State of Montana is now obligated, for the construction, repair, and equipment of necessary buildings, other permanent improvements and the acquisition of necessary grounds therefor at the Montana State Hospital for the Insane located at Warm Springs, Montana; providing for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness and for the sale thereof, prescribing the form of such bonds and providing for the levy of an annual tax sufficient to pay the principal thereof and the interest accruing thereon."

By Sullivan by request: A Bill for an Act entitled: "An Act to amend Section 4139.1, Revised Codes of Montana, 1935, relating to abstracters and the business of abstracting."

By Stevens: A Bill for an Act entitled: "An Act for the payment of old age pensions; establishing a State Old Age Pension Commission; defining the qualifications of those entitled to receive Old Age Pensions; providing for the administration of said Act; providing for forms of applications; providing funds for the State Old Age Pension Commission and establishing a special fund known as the State Old Age Pension Fund; providing that aid from the United States government in furtherance of this Act be placed in said fund; providing for eligibility to receive pensions; providing for the residence of applicants, and change of residence; providing for the expenses incurred in carrying out the provisions of the Act; prohibiting assignments of grants; repealing all Acts and parts of Acts in conflict herewith."

By Wenger, Malee and Murray: A Bill for an Act entitled: "An Act to authorize the construction of a building or buildings for the Montana State Tuberculosis Sanitarium; to provide for the issuance of revenue bonds for the payment thereof; to provide that such bonds shall not constitute or be a debt, liability or obligation of the State but shall be secured only by the rents or income of the buildings; to provide for the registration of such bonds; to provide for trust indenture and trustee for said bonds; to provide for the creation of a sinking fund and to define its purposes; to empower the State Board of Examiners to enter into all contracts and agreements necessary or incidental to the execution of its powers under this Act; to provide remedies of bondholders; and declaring an emergency."

By Stevens: A Bill for an Act entitled: "An Act to provide for the raising of revenue for emergency purposes; to equalize, replace and substitute taxation for the maintenance of Old Age Pensions within the State by imposing taxes on the gross receipts from the retail sales of certain commodities, admissions, and services as defined herein; to provide permits to retailers; to provide for the ascertainment, levy, assessment, and collection of such tax, the distribution and use of the revenue derived therefrom and the administration of said law; to provide certain deductions and exemptions; establishing a lien for the payment of said tax; to provide fines and penalties for the violation of the provisions of the Act; to repeal all Laws, or parts of Laws in conflict herewith, and providing a referendum of said Act and providing the time when said Act shall be in full force and effect."

By Hammond: A Bill for an Act entitled: "An Act requiring licenses for the operation, maintenance, opening or establishment of stores in this State, the classifying of such stores, prescribing the license and filing fees to be paid therefor and the disposition thereof, and the powers and duties of the State Board of Equalization in connection therewith; and prescribing penalties for the violation thereof and repealing Sections 2420.1, 2420.2, 2420.3, 2420.4, 2420.5, 2420.6, 2420.7, 2420.8, 2420.9, 2420.10, 2420.11, Revised Codes of Montana, 1935, and Chapter 199 of the Session Laws of the Twenty-Fifth Legislative Assembly of 1937."

By Reed, Stevens, Acher, Moss (Flathead), Byrne: A Bill for an Act entitled: "An Act appropriating money for the payment to the estate of Walter B. Sands, deceased, of salary earned by Walter B. Sands, while Chief Justice of the Supreme Court of the State of Montana, which he did not receive."

By McLeod, Murray and Anderson: A Bill for an Act entitled: "An Act to amend Section 2343.1 and 2343.3 of the Revised Codes of Montana or 1935, as amended by Chapter 83 of Laws of 1937, relating to electrical energy producer's license tax and the distribution of said tax."

By Morrison by request: A Bill for an Act entitled: "An Act to appropriate money for the payment of certain claims arising out of the construction of the student and faculty residence hall at the Montana State School of Mines, Butte, Montana."

By Stromnes: A Bill for an Act entitled: "An Act to amend Section 6711 and 6713, Revised Codes of Montana, 1935, relating to the Accumulation of the income of property directed by will, trust or transfer and relating to the application of said income, and providing the time for which an accumulation may be provided and the manner in which application may be made for allowances from an accumulation."

By Stromnes: A Bill for an Act entitled: "An Act to amend Section 6733, Revised Codes of Montana, 1935, relating to the power of alienation and the suspending thereof; and providing the period of time that the power of alienation may be suspended."

By Smith and O'Connor: A Bill for an Act entitled: "An Act to amend Chapter 91 of the Session Laws of 1937, relating to the licensing of moving picture theaters and the collection and disposition of license fees."

By Smith and O'Connor: A Bill for an Act entitled: "An Act requiring licenses for the operation, maintenance, opening or establishment of stores in this state, the classifying of such stores, prescribing the licensing and filing fees to be paid therefor, and the disposition thereof; and the powers and duties of the State Board of Equalization in connection therewith, and prescribing penalties for the violation thereof, and repealing Sections 2420.1, 2420.2, 2420.3, 2420.4, 2420.5, 2420.6, 2420.7, 2420.8 2420.9, 2420.10, 2420.11, Revised Codes of 1935, and Chapter 199 of the Session Laws of 1937."

By Malee: A Bill for an Act entitled: "An Act relating to cases in which any judge or justice of the peace may be disqualified and calling in another judge, and amending paragraph four (4), Section 8868 of the Revised Codes of Montana, 1935, relating to disqualification of judges in certain contempt proceedings."

By Lambert and Ekern: A Bill for an Act entitled: "An Act providing for the licensing, regulation and control of games of chance and gambling with cards or other gambling devices; providing for a House Gambling License and for a Game or Table License, and granting to the Montana Liquor Control Board certain powers for the enforcement of this Act; making certain Acts illegal and providing penalties therefore; prohibiting minors from entering gambling houses, and providing penalties for a violation; fixing the amount of license fees to be paid for said license; providing for the disposal of the proceeds of licenses and fees collected by the board; permitting cities, towns and counties to levy a license tax in addition to the State License herein provided; declaring an emergency to exist, and providing for local option by cities, towns or counties permitting thirty-five per cent (35%) of the qualified electors by petition to require an election and by a majority vote at such election to suspend and prohibit games of chance in such city, town or county; and repealing Acts in conflict herewith."

By McClain, Long, Moss (Custer) and Gebhardt: A Bill for an Act entitled: "An Act providing for the transfer to the Railroad Unemployment Insurance Account, established and maintained pursuant to the provisions of the Railroad Unemployment Insurance Act (52 Stat. 1094), a certain portion of the Unemployment Compensation Trust Fund of the State of Montana established and created pursuant to Section 904 of the Federal Social Security Act, as amended; providing for the authority of the Unemployment Compensation Commission of Montana to cooperate with and enter into agreements with the Railroad Retirement Board with respect to the use of Montana State Employment Service facilities and to make available records of the Commission relating to employers and employees covered by the Railroad Unemployment Insurance Act."

By Lippard and Williams: A Bill for an Act entitled: "An Act relating to school buses used in transportation of school children and the qualifications and duties of drivers of such buses; providing manner in which said buses shall be equipped and the qualifications and duties of drivers of school buses; and providing penalty for a violation of the provisions of this Act."

By Committee on Highways: A Bill for an Act entitled: "An Act repealing Sections 9430.2 and 9430.3, Revised Codes of Montana, 1935, and providing in what cases a motor vehicle may be exempt from attachment or execution."

By Lippard, Woods and Reed: A Bill for an Act entitled: "An Act to amend Sections 4525 and 4526, Revised Codes of Montana, 1935, relating to contracts for care of poor, sick and infirm and Section 4527, Revised Codes of Montana, 1935, relating to contracts for medicines and medical attendance, and duties of physicians and surgeons thereunder, to harmonize said Sections as amended and to repeal Section 4529, Revised Codes of Montana, 1935, and to establish under the authority and direction of the several boards of County Commissioners in the State a plan for adequate medical, surgical and hospital service in each county within the amounts lawfully budgeted therefor and to insure as far as possible free choice of physicians and surgeons within the limitations of the Act, and prescribing the conditions for all of said matters, and the duties of physicians and surgeons in the several counties of the State with reference to the County poor and those entitled to medical and surgical service at county expense, and prescribing the duties of the State Board of Health in connection herewith."

By Metlen, Stevens, Goodwin, McLeod, Padbury and Hoiness: A Bill for an Act entitled: "An Act authorizing and directing the Governor and Board of Examiners of the State of Montana to make application to United States Public Works Administration or the Works Program Administration of the United States for a grant or loan, in co-operation with the State of Montana, for the construction of a suitable Montana Historical Library Building, inclusive of suitable quarters therein for the Montana Supreme Court, and State Law Library, and other State Offices, and the American Legion of Montana, Veterans of Foreign Wars, Disabled War Veterans, Spanish American War Veterans, and other similar veterans' organizations, together with the Society of Montana Pioneers, and Sons and Daughters of Montana Pioneers, and other patriotic organizations, as an adjunct to the State Capitol Buildings, and authorizing the issuance and sale of revenue bonds by the Board of Examiners of the State of Montana for said purpose."

By Padbury and Byrne: A Bill for an Act entitled: "An Act to amend Section 6269 of Chapter 33 of the Revised Codes of Montana of 1935, relating to the investment of funds and loaning of money by domestic life insurance companies."

By Leuthold: A Bill for an Act entitled: "An Act to amend Section 20, Article VII of the Constitution of the State of Montana; providing for a board of control; providing for their appointment; defining their powers

and term of office; providing for submission of the said Act to the qualified electors of the State of Montana."

By Metlen: A Bill for an Act entitled: "An Act requiring the designation by County Officers of a Chief Deputy and to provide for the orderly conduct of county offices during the interim between the occurrence of a vacancy therein and the filling thereof, by a new section to be designated Section 4733.1 of the Revised Codes of Montana, 1935."

By McClain and Morrison: A Bill for an Act entitled: "An Act creating the Montana State Forest and Conservation Experiment Station and providing for its organization; defining its duty and authority, and generally relating to its organization, functions, management and duties."

By Anderson (Phillips) and Woods: A Bill for an Act entitled: "An Act to amend Section 1200.4 of the Revised Codes of Montana of 1935, as amended by Chapter 38 of the Session Laws of 1937, creating a State Public School General Fund and providing for the disposal of school moneys."

By Metlen: A Bill for an Act entitled: "An Act to amend Section 2214.2 of the Revised Codes of Montana, 1935, as amended by Chapter 132 of the Laws of Montana, Twenty-Fifth Session, 1937, relating to the validating and legalizing of tax deeds, notwithstanding errors committed in the procedure provided by law for taking tax deeds."

By Morrison, Smith and Padbury: A Bill for an Act entitled: "An Act providing for the admission of Dorothy Blanche FitzGerald, disabled daughter of a disabled Spanish American War Veteran, to the Montana Soldiers' Home at Columbia Falls, Montana."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills No. 73 and 130.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 137, respectfully report as follows: That House Bill No. 137 do pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 209, respectfully report as follows: That House Bill No. 209 do pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds having had under consideration House Bill No. 125, respectfully report as follows: That House Bill No. 125 do pass.

WENGER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 13, respectfully report as follows: That House Joint Memorial No. 13 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 15, respectfully report as follows: That House Joint Memorial No. 15 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 14, respectfully report as follows: That House Joint Memorial No. 14 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration House Bill No. 231, respectfully report as follows: That House Bill No. 231 do pass.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration House Bill No. 238, respectfully report as follows: That House Bill No. 238 do pass.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices having had under consideration House Bill No. 200, respectfully report as follows: That House Bill No. 200 do pass.

FLYNN, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices having had under consideration House Bill No. 138, respectfully report as follows: That House Bill No. 138 do pass.

FLYNN, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices having had under consideration House Bill No. 175, respectfully report as follows: That House Bill No. 175 do not pass.

It was moved by Flynn, duly seconded, that the report of the Committee be adopted. On substitute motion, it was moved by Padbury, duly seconded and carried, that House Bill No. 175 be re-referred to State Boards and Offices.

Mr. Speaker: We, your Committee on Affairs of Cities having had under consideration House Bill No. 203, respectfully report as follows: That House Bill No. 203 do pass.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices having had under consideration House Bill No. 177, respectfully report as follows: That House Bill No. 177 do not pass.

FLYNN, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices having had under consideration House Bill No. 218, respectfully report as follows: That House Bill No. 218 do pass.

FLYNN, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 153, respectfully report as follows: That House Bill No. 153 do not pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Aviation, having had under consideration House Bill No. 149, respectfully report as follows: That House Bill No. 149 do not pass.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments having had under consideration House Bill No. 100, respectfully report as follows: That House Bill No. 100 do not pass.

It was moved by Stafford, duly seconded, that the report of the Committee be adopted. On substitute motion, it was moved by Beadle, duly seconded, that House Bill No. 100 be printed and placed on General Orders. Motion was lost. A roll call, to be entered in the Journal, was requested by the required number, on the adoption of the Committee report.

Report was adopted by the following vote:

Ayes: Acton, Aronson, Baker, Brower, Byrne, Cole (Petroleum), Cole (Prairie), D'Ewart, Duncan, Emswiler, Freshman, Gebhardt, Goodwin, Green, Hageman, Hoiness, Horrigan, Kellogg, Kirscher, Laubach, Lehrkind, Lippard, Loughran, Lowe, Lynch, McFatridge, Miles, Morrison, Newell, O'Connor, Padbury, Parker (Wibaux), Potter, Rice, Roehl, Scofield, Smith, Stafford, Stewart, Vanderbeck, Watson, Williams, Wilson, Woods, Clark. Total 45.

Noes: Anderson (Phillips), Anderson (Cascade), Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Cannon, Collins, Daniel, DeDobbeleer, Dunn, Flynn, Hess, James, Lambert, Liggett, Long, Malee, Martin, McCarthy, McClain, McGee, McLeod, Melin, Moss (Flathead), Moss (Custer), Murray, Parker (Flathead), Petersen, Reed, Ryan, Siegling, Sorte, Spiegel, Stevens, Sullivan, Wenger, Zuck, Mr. Speaker. Total 42.

Absent: Acher, Antrim, Armstrong, Dougherty, Ekern, Findlater, Friedl, Hammond, Leuthold, Listug, Longenecker, McKenna, Metlen, Stromnes, Tyler. Total 15.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 199, respectfully report as follows: That House Bill No. 199 do not pass.

FLYNN, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration House Bill No. 4, respectfully report as follows: That House Bill No. 4, be printed and placed on General Orders.

STAFFORD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 152, respectfully report as follows: That House Bill No. 152 do not pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 154, respectfully report as follows: That House Bill No. 154 do not pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 210, respectfully report as follows: That House Bill No. 210 be amended as follows: "By substituting in line 18, Section 1, the word 'eight' for the word 'ten,'" and as amended do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 12, respectfully report as follows: That Senate Bill No. 12 be concurred in.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs having had under consideration House Bill No. 97, respectfully report as follows: That House Bill No. 97 do pass.

GOODWIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities having had under consideration House Bill No. 204, respectfully report as follows: That House Bill No. 204 do pass.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 114, respectfully report as follows: That House Bill No. 114 do pass.

SORTE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 195, respectfully report as follows: That House Bill No. 195 do pass.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 174, respectfully report as follows: That House Bill No. 174 do pass.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 198, respectfully report as follows: That House Bill No. 198 do not pass.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 207, respectfully report as follows: That House Bill No. 207 do pass.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 187, respectfully report as follows: That House Bill No. 187 do not pass.

TYLER, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 9, was this day read three several times, that the same was not concurred in and is herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Joint Memorial No. 7, House Bills Nos. 89 and 76, were this day read three several times and passed, and concurred in, title and history agreed to, and the same are herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 79, was this day read three several times and passed as amended, title and history agreed, and the same is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 81, 123, 155, 159, 185, 189 and 190, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees, all appropriation measures having been read at length:

House Bill No. 247: Introduced by Miles: A Bill for an Act entitled: "An Act to appropriate Thirty Thousand (\$30,000.00) Dollars per annum to aid in the continuation of the co-operative work now being carried on by the Montana Livestock Commission and Fish and Game Commission and the Federal agencies in the control of predatory animals in the State of Montana and said funds to be subject to the order of the Livestock Commission of the State of Montana." Referred to Committee on Appropriations.

House Bill No. 248: Introduced by McLeod, Anderson (Cascade), Siegling, Stromnes, Stafford, Stevens, Martin, Melin, Beadle, Cannon, Sullivan: A Bill for an Act entitled: "An Act for the payment of Old Age Pensions; establishing State and County Old Age Pension Commissions and prescribing their duties as such; defining the qualifications of those entitled to receive Old Age Pensions; providing for the administration of said Act; providing for the establishment of a State Old Age Pension Fund; providing that aid from the United States Government in furtherance of this Act be placed in said fund; providing forms for applications for pensions and investigation of applications; providing for the granting of assistance and to whom paid; providing the right of appeal; providing for reports; prohibiting the assigning of grants; making certain Acts fraudulent; and repealing all Acts in conflict herewith." Referred to Committee on Social Security.

House Bill No. 249: Introduced by Brower and Ekern: A Bill for an Act entitled: "An Act to establish a State Hospital to be known as the Montana State Infantile Paralysis Sanitarium for the treatment of infantile paralysis, and others to be treated by water-therapy; providing the location thereof; prescribing rules and regulations for the same; providing for the issuance of revenue bonds for the erection of buildings and purchasing equipment therefor; providing that such bonds shall not constitute or be a debt, liability or obligation of the State but shall be secured only by the rents and/or income of such institution; providing for the registra-

tion of such bonds; providing for trust indenture and trustee for said bonds; providing for the creation of a sinking fund and defining its purposes; empowering the State Board of Examiners to enter into all contracts and agreements necessary or incidental to the execution of its powers under this Act; providing remedies of bondholders; declaring an emergency, and making appropriations therefor." Referred to Committee on State Institutions, Public Buildings and Grounds.

House Bill No. 250, introduced without notice, by unanimous consent of the House:

By Appropriations Committee: A Bill for an Act entitled: "An Act to amend Section 287 of the Revised Codes of Montana, 1935, relating to the authority of the State Purchasing Agent with respect to requisitions for purchase by the various departments, commissions, boards and officials of the State of Montana." Referred to Appropriations Committee.

Senate Bill No. 16: Introduced by Smith: A Bill for an Act entitled: "An Act to repeal Sections 6374.1, 6374.2, 6374.3, 6374.4, 6374.5, 6374.6 and 6374.7, of the Revised Codes of Montana of 1935, relating to the issuance of permanent stock by Building and Loan Associations and authorizing and regulating the issuance thereof." Referred to Committee on Banks and Banking.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 73, was passed by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Loughran, Lowe, Lynch, Martin, McClain, McFatridge, McGee, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Petersen, Potter, Read, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Strommes, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 83.

Absent: Acher, Acton, Armstrong, Baker, Balgord, Ekern, Friedl, Horrigan, Leuthold, Longenecker, Malee, McCarthy, McKenna, Metlen, Moss (Flathead), O'Connor, Parker (Flathead), Smith and Sullivan. Total 19.

House Bill No. 130 was passed by the following vote:

Ayes: Anderson (Cascade), Beadle, Bjerneby, Brower, Cannon, Clark, Daniel, D'Ewart, Dunn, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Hammond, Hoiness, Horrigan, James, Lippard, Long, Loughran, Lowe, McCarthy, McClain, McFatridge, McGee, McLeod, Melin, Moss (Custer), Murray, Reed, Ryan, Siegling, Spiegel, Stafford, Stevens, Stewart, Strommes, Sullivan, Vanderbeck, Watson, Wenger, Williams, Zuck, Mr. Speaker. Total 46.

Noes: Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beck, Berthot, Bower, Brown, Byrne, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, Dougherty, Duncan, Green, Hageman, Hess, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Lynch, Martin, Miles, Morrison, Newell, O'Connor, Padbury, Parker (Wibaux),

Petersen, Potter, Rice, Roehl, Scofield, Sorte, Tyler, Wilson, Woods. Total 44.

Absent: Acher, Acton, Baker, Ekern, Friedl, Longenecker, Malee, McKenna, Metlen, Moss (Flathead), Parker (Flathead), Smith. Total 12.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole, for consideration of General Orders, under the rules of the previous sitting.

Lippard in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That Substitute House Bill No. 18 do pass.

That House Joint Memorial No. 11 do pass.

That Senate Amendments to House Bill No. 52 be concurred in.

That Senate Amendments to House Bill No. 27 be concurred in.

That Senate Amendments to House Bill No. 33 be concurred in.

That Substitute House Bill No. 13 do pass.

That Substitute House Bill No. 14 be amended as follows: Amend Section 3 by striking the word "unlawful" in line 8 and insert in lieu thereof the words "reckless driving by the driver of the vehicle"; amend Section 7 by striking the word "unlawful" in line 4 and inserting in lieu thereof the words "reckless driving by the driver of the vehicle"; amend by inserting a new section, following Section 7, to be numbered 8, to read as follows: "Section 8. Every person convicted of reckless driving shall be punished upon a first conviction by imprisonment for a period of not less than ten (10) days nor more than ninety (90) days, or by a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00), and on a second or subsequent conviction shall be punished by imprisonment for not less than thirty (30) days nor more than ninety (90) days, or by a fine of not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00)." and renumber the subsequent sections accordingly; amend by striking section number nine in the printed bill; and as amended, do pass."

That House Bill No. 125 do pass.

That Senate Bill No. 20 be concurred in.

LIPPARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 26, 89 and 76.

COLE (Prairie),

Vice-Chairman.

Report adopted.

I have examined House Bill No. 26, introduced by me and find the same to be correct.

GOODWIN.

I have examined House Bill No. 76 introduced by me and find the same to be correct.

SORTE, Chairman.

State Lands.

I have examined House Bill No. 89 introduced by me and find the same to be correct.

HOINESS.

The Speaker signed the following in open session: House Bills Nos. 26, 89 and 76.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bills Nos. 51, 60, 140 and 182, beg leave to recommend that the same be considered correctly engrossed.

RICE, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Tyler, duly seconded, that the House reconsider its action on House Bills Nos. 166 and 169. On substitute motion, it was moved by McLeod, duly seconded and carried, that the motion by Tyler be tabled.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Saturday, February 4th, 1939, at 9:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

THIRTY-FOURTH DAY

House of Representatives,
Helena, Montana,
February 4, 1939.

House convened, pursuant to adjournment, at 9:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Acher, Ekern, Friedl, Longenecker, Lowe, Moss (Flathead), Smith and Stromnes.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-third Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

NOTICES

Authors gave notice, that they would on tomorrow or some subsequent day introduce the following:

By Parker (Flathead) and Armstrong: A Bill for an Act entitled: "An Act to provide for the disposition of estates of deceased persons, or portions thereof, passing by succession, or testamentary disposition, to citizens of foreign countries, whose laws would not permit the free disposition of like estates, or portions thereof, under like circumstances, to a citizen or citizens of the United States."

By Goodwin: A Bill for an Act entitled: "An Act to amend Section 1741.11, Revised Codes of Montana, 1935, as amended by Chapter 182, the Laws of the Twenty-fifth Legislative Assembly."

By Cole (Petroleum), by request: A Bill for an Act entitled: "An Act to amend Section 9429 of the Revised Codes of Montana, 1935, relating to the exemption of earnings of a judgment debtor for debts incurred for necessities."

By Listug: A Bill for an Act entitled: "An Act to amend Section 4175 of the Revised Codes of Montana, 1935, defining wage brokers and repealing all Acts and parts of Acts in conflict herewith."

By Spiegel and Ryan, by request: A Bill for an Act entitled: "An Act to amend Section 4468 of the Revised Codes of Montana, 1935, relating to the organization of new townships and providing that a petition be presented to organize a new township, or in certain townships to change the boundaries thereof."

By Siegling and Horrigan, by request: A Bill for an Act entitled: "An Act providing for the licensing, regulation and control of games of chance and gambling with cards or other gambling devices; providing for a House Gambling License and for a Game or Table License, and grant to the Montana Liquor Control Board certain powers for the enforcement of this Act; making certain Acts illegal and providing penalties therefor; prohibiting minors from entering gambling houses, and providing penalties for a violation; fixing the amount of license fees to be paid for said license; providing for the disposal of the proceeds of licenses and fees collected by the board; permitting cities, towns and counties to levy a license tax in addition to the State License herein provided; declaring an emergency to exist, and providing for local option by cities, towns or counties permitting thirty-five per cent (35%) of the qualified electors by petition to require an election and by a majority vote at such election to suspend and prohibit games of chance in such city, town or county; and repealing Acts in conflict herewith."

By Kellogg: A Bill for an Act entitled: "An Act relating to licensing and bonding of persons, firms, co-partnerships, corporations and associations contracting for purchase of mustard seed prior to harvesting same, and providing penalties for violations thereof."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Joint Resolution No. 4, respectfully report as follows: That House Joint Resolution No. 4 do not pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 103, respectfully report as follows: That House Bill No. 103 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 239, respectfully report as follows: That House Bill No. 239 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 241, respectfully report as follows: That House Bill No. 241 do pass.

LAMBERT, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Leuthold, duly seconded and carried, that House Bill No. 183 be taken from the Committee on Revenue and Taxation and referred to the Committee on Ways and Means.

It was moved by Cannon, duly seconded and carried, that Substitute House Bill No. 14 be taken from the Engrossing Committee and re-referred to the Committee on Highways and Highway Transportation.

It was moved by Anderson of Cascade, duly seconded and carried, that consideration of House Bill No. 136 be passed for the day.

It was moved by McLeod, duly seconded and carried, that the House reconsider its action on House Bill No. 198.

It was moved by McLeod, duly seconded and carried, that House Bill No. 198 be printed and placed on General Orders.

It was moved by Metlen, duly seconded and carried, that the House reconsider its action on House Bill No. 152.

It was moved by Metlen, duly seconded and carried, that House Bill No. 152 be re-referred to the Committee on Revenue and Taxation.

It was moved by Duncan, duly seconded and carried, that consideration of House Bill No. 159 be passed for the day.

It was moved by Lehrkind, duly seconded and carried, that consideration of House Bill No. 80 be passed for the day.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees, all appropriation measures having been read at length:

House Bill No. 251, introduced by Lambert and Ekern: A Bill for an Act entitled: "An Act providing for the licensing, regulation and control of games of chance and gambling with cards or other gambling devices; providing for a House Gambling license and for a Game or Table License, and granting to the Montana Liquor Control Board certain powers for the enforcement of this Act; making certain Acts illegal and providing penalties therefore; prohibiting minors from entering gambling houses, and providing penalties for a violation; fixing the amount of license fees to be paid for said license; providing for the disposal of the proceeds of licenses and fees collected by the board; permitting cities, towns and counties to levy a license tax in addition to the State License herein provided; declaring an emergency to exist; and providing for local option by cities, towns or counties permitting thirty-five per cent (35%) of the qualified electors by petition to require an election and by a majority vote at such election to suspend and prohibit games of chance in such city, town or county; and repealing Acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Bill No. 252, introduced by Education Committee: A Bill for an Act entitled: "An Act to amend Sections 1263.3, 1263.5, 1263.6, 1263.11, 1263.12 and 1263.19. All relating to High School Budgets." Referred to Committee on Education.

House Bill No. 253, introduced by McClain and Morrison: A Bill for an Act entitled: "An Act creating the Montana State Forest and Conservation Experiment Station and providing for its organization, defining its duty and authority, and generally relating to its organization, functions, management and duties." Referred to Committee on Conservation of Resources.

House Bill No. 254, introduced by Padbury and Byrne: A Bill for an Act entitled: "An Act to amend Section 6269 of Chapter 33 of the Revised Codes of Montana of 1935, relating to the investment of funds and loaning of money by domestic life insurance companies." Referred to Committee on Insurance.

House Bill No. 255, introduced by Lippard and Williams: A Bill for an Act entitled: "An Act relating to school buses used in transportation of school children and the qualifications and duties of drivers of such buses; providing manner in which said buses shall be equipped and the qualifica-

tions and duties of drivers of school buses; and providing penalty for a violation of the provisions of this Act." Referred to Committee on Education.

House Bill No. 256, introduced by McClain and Moss (Custer): A Bill for an Act entitled: "An Act providing for the transfer to the Railroad Unemployment Insurance account, established and maintained pursuant to the provisions of the Railroad Unemployment Insurance Act (52 Stat. 1094), a certain portion of the Unemployment Compensation Trust Fund of the State of Montana established and created pursuant to Section 904 of the Federal Social Security Act, as amended; providing for the authority of the Unemployment Compensation Commission of Montana to co-operate with and enter into agreements with the Railroad Retirement Board with respect to the use of Montana State Employment Service facilities and to make available records of the commission relating to employers and employees covered by the Railroad Unemployment Insurance Act." Referred to Committee on Social Security.

House Bill No. 257, introduced by Committee on Highways: A Bill for an Act entitled: "An Act repealing Sections 9430.2 and 9430.3, Revised Codes of Montana, 1935, and providing in what cases a motor vehicle may be exempt from attachment or execution." Referred to Committee on Judiciary.

House Bill No. 258, introduced by Malee: A Bill for an Act entitled: "An Act relating to cases in which any judge or justice of the peace may be disqualified and calling in another judge, and amending paragraph four (4), Section 8868 of the Revised Codes of Montana 1935, relating to disqualification of judges in certain contempt proceedings." Referred to Committee on Judiciary.

House Bill No. 259, introduced by Flynn and Morrison: A Bill for an Act entitled: "An Act to amend Section 5384 of the Revised Codes of Montana of 1935 relating to supervisory powers of mayor and councilmen—election and removal of officers—police judge, by eliminating therefrom the words 'chief of the fire department and chief of the police department'." Referred to Committee on Privileges and Elections.

House Bill No. 260, introduced by Lippard: A Bill for an Act entitled: "An Act to amend Section 2815.154, of the Revised Codes of Montana of 1935, being a part of the 'State Liquor Control Act of Montana'." Referred to Committee on State Boards and Offices.

House Bill No. 261, introduced by Committee on Education: A Bill for an Act entitled: "An Act to repeal Sections 1091, 1094, 1096, 1099, 1100, and 1104, and to amend Sections 1092 and 1095, Revised Codes of Montana, 1935, relating to the qualifications and issuance of Teachers' Certificates." Referred to Committee on Education.

House Bill No. 262, introduced by Committee on Education: A Bill for an Act entitled: "An Act directing the appointment of a specialist in the field of special education for the exceptional child; the making of a survey and study of the needs of such school children; providing for the preparation, use, and supervision of a State-wide program of special education for the exceptional child in the public school; providing for an annual appropriation of not less than Seven Thousand Dollars (\$7,000.00) from the State Public School General Fund for payment of the salary and other expenses necessarily incurred in making effective the provisions of this Act." Referred to Committee on Education.

House Bill No. 263, introduced by Committee on Education: A Bill for an Act entitled: "An Act to amend Section 931, Revised Codes of Montana, 1935, relating to election, qualification, oath and bond of the Superintendent of Public Instruction." Referred to Committee on Education.

House Bill No. 264, introduced by Committee on Education: A Bill for an Act entitled: "An Act to amend Section 1, Chapter 118 of the

Laws of the Twenty-first Legislative Assembly of 1929, relating to the qualifications of County Superintendents of Schools." Referred to Committee on Education.

House Bill No. 265, introduced by Committee on Education: A Bill for an Act entitled: "An Act directing the appointment of a specialist in the field of health and physical education; the making of a survey and study of the health of school children; providing for the preparation, use, and supervision of a State-wide program of health and physical education in the public school; providing for teacher training in health and physical education; providing for an annual appropriation of not less than Seven Thousand Dollars (\$7,000.00) from the State Public School General Fund for payment of the salary and other expenses necessarily incurred in making effective the provisions of this Act." Referred to Committee on Appropriations.

House Bill No. 266, introduced by Committee on Education: A Bill for an Act entitled: "An Act to amend Section 933, Revised Codes of Montana, 1935, as amended by Chapter 149, Laws of Montana, 1937, relating to the official staff of the Superintendent of Public Instruction, adding thereto a music supervisor, fixing the salary, and defining the duties of such supervisor." Referred to Committee on Education.

House Bill No. 267, introduced by Stromnes, by request: A Bill for an Act entitled: "An Act defining the qualifications of water works employees in the cities and towns in the State of Montana; providing for the creation of water works reserves, specifying salary limits thereof, and specifying the limits of tax levies therefor." Referred to Committee on Revenue and Taxation.

House Bill No. 268, introduced by Duncan: A Bill for an Act entitled: "An Act to amend Chapter 15, Laws of 1937, relating to the hours of work of members of paid fire departments of cities of the first class providing a minimum compensation for members of paid fire departments of cities of the first class and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 269, introduced by Sullivan, by request: A Bill for an Act entitled: "An Act to amend Section 4139.1, Revised Codes of Montana, 1935, relating to abstracters and the business of abstracting." Referred to Committee on Townships and Counties.

House Bill No. 270, introduced by Hammond: A Bill for an Act entitled: "An Act requiring licenses for the operation, maintenance, opening or establishment of stores in this state, the classifying of such stores, prescribing the license and filing fees to be paid therefor and the disposition thereof, and the powers and duties of the State Board of Equalization in connection therewith; and prescribing penalties for the violation thereof and repealing Sections 2420.1, 2420.2 2420.3, 2420.4, 2420.5, 2420.6, 2420.7, 2420.8, 2420.9, 2420.10, 2420.11, Revised Codes of Montana, 1935, and Chapter 199 of the Session Laws of the Twenty-fifth Legislative Assembly of 1937." Referred to Committee on Revenue and Taxation.

House Bill No. 271, introduced by Reed, Stevens, Acher, Moss (Flathead), and Byrne: A Bill for an Act entitled: "An Act appropriating money for the payment to the estate of Walter B. Sands, deceased, of salary earned by Walter B. Sands while Chief Justice of the Supreme Court of the State of Montana, which he did not receive." Referred to Committee on Appropriations.

House Bill No. 272, introduced by Watson: A Bill for an Act entitled: "An Act giving power to the Board of Trustees of any School District to sell and dispose of, or to exchange school property which has become or is about to become abandoned as unsuitable for school purposes of said district; and providing the procedure to be followed." Referred to Committee on Education.

House Bill No. 273, introduced by Wenger, Malee and Murray: A Bill for an Act entitled: "An Act to authorize the State of Montana to become indebted in the sum of One Million Five Hundred Thousand Dollars in excess of the Constitutional limitation of indebtedness and over and above any bonded indebtedness heretofore incurred or created and for which the State of Montana is now obligated, for the construction, repair, and equipment of necessary buildings, other permanent improvements and the acquisition of necessary grounds therefor at the Montana State Hospital for the Insane located at Warm Springs, Montana; providing for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness and for the sale thereof, prescribing the form of such bonds and providing for the levy of an annual tax sufficient to pay the principal thereof and the interest accruing thereon." Referred to Committee on State Institutions, Public Buildings and Grounds.

House Bill No. 274, introduced by Bjorneby: A Bill for an Act entitled: "An Act providing for the safeguarding by insurance against direct loss by fire, lightning, tornado, windstorm, cyclone, hail and explosion; providing for the establishment of a fund to be known as the "State Property Insurance Fund"; providing for the call for bids on the insurance to protect State property; providing for standard forms for the hazards insured against; providing for the insurance under the provisions of this Act as present insurance expires; providing for otherwise insuring if required by the administration of public works; providing for appropriation for such insurance for the biennium July 1, 1939 to June 30, 1941; to provide for an appropriation for excess insurance purchased by the Board of Examiners for the biennium July 1, 1939 to June 30, 1941; providing for validity of the Act; and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Appropriations.

House Bill No. 275, introduced by Stevens: A Bill for an Act entitled: "An Act appropriating money for the payment to the estate of Peter P. Lee, deceased, of the sum of Seven Hundred Thirty-eight and 86/100 Dollars (\$738.86), erroneously collected and paid into the State Treasury as inheritance taxes." Referred to Committee on Appropriations.

House Bill No. 276, introduced by Stevens: A Bill for an Act entitled: "An Act for the payment of Old Age Pensions; establishing a State Old Age Pension Commission; defining the qualifications of those entitled to receive Old Age Pensions; providing for the administration of said Act; providing for forms of applications; providing funds for the State Old Age Pension Commission and establishing a special fund known as the State Old Age Pension Fund; providing that aid from the United States Government in furtherance of this Act be placed in said fund; providing for eligibility to receive pensions; providing for the residence of applicants, and change of residence; providing for the expenses incurred in carrying out the provisions of the Act; prohibiting assignments of grants; repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Social Security.

House Bill No. 277, introduced by Acton: A Bill for an Act entitled: "An Act amending Section 440, Revised Codes of the State of Montana, 1935, relating to salaries of Deputy State Officers, Clerks, Stenographers and employees." Referred to Committee on Public Morals, Charities and Reforms.

House Bill No. 278, introduced by Hoiness, Gebhardt, McFatridge, Hammond, and Williams: A Bill for an Act entitled: "An Act to amend Section 6014.31 of the Revised Codes of Montana, 1935, so as to exclude amortized loans therefrom." Referred to Committee on Judiciary.

House Bill No. 279, introduced by Watson: A Bill for an Act entitled: "An Act to repeal Chapter 52, Laws of Montana, 1937, relating to the establishment, regulation, supervision, licensing and bonding of live-stock markets and penalty for violations thereof." Referred to Committee on Livestock and Public Ranges.

House Bill No. 280, introduced by unanimous consent without previous notice, by the Committee on Appropriations: A Bill for an Act entitled: "An Act to appropriate money for the State Department of Public Welfare of the State of Montana for General Relief and contingencies for the period ending March 1, 1939, it having been found that the appropriations provided by the Twenty-fifth Legislative Assembly were insufficient for the above purposes." Referred to Committee on Appropriations.

House Bill No. 281, introduced by Siegling and Horrigan: A Bill for an Act entitled: "An Act to regulate, and control, the operation of games of chance; to provide for the licensing thereof by the State Board of Equalization and granting to said Board certain powers therein; providing for the distribution to the State and Counties of the proceeds thereof; making certain Acts illegal and providing penalties; prohibiting minors from participating in any of the said games and providing penalties therefor; permitting cities and towns to levy a license tax therefor in addition to the State Tax herein provided and to regulate the conduct of such games under the police powers of said cities; providing that by a special election any county may prohibit the games of chance in said county; providing that such games of chance shall be licensed unless a special election shall be had in such counties as provided in this Act, and providing for such special election; repealing all Acts and parts of Acts in conflict therewith." Referred to Committee on Revenue and Taxation.

House Bill No. 282, introduced by Leuthold: A Bill for an Act entitled: "An Act to amend Section 20, Article VII of the Constitution of the State of Montana; providing for a Board of Control; providing for their appointment; defining their powers and term of office; providing for submission of the said Act to the qualified electors of the State of Montana." Referred to Committee on Constitutional Amendments.

House Bill No. 283, introduced by Morrison: A Bill for an Act entitled: "An Act providing for the admission of Dorothy Blanche FitzGerald, disabled daughter of a disabled Spanish American War Veteran, to the Montana Soldiers' Home at Columbia Falls, Montana." Referred to Committee on State Institutions, Public Buildings and Grounds.

THIRD READING

The following, having been read three several times, history and title agreed to, all appropriation measures having been read at length, were disposed of as follows:

Senate Bill No. 20 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Armstrong, Aronson, Baker, Baldord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Gebhardt, Goodwin, Hageman, Hammond, Hess, Horrigan, James, Kellogg, Kirscher, Lambert, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Loughran, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, Melin, Morrison, Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stewart, Sullivan, Tyler, Vanderbeck, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 82.

Noes: Miles and Watson. Total 2.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Ekern, Freshman, Friedl, Green, Hoiness, Laubach, Longenecker, Lowe, Malee, McLeod, Metlen, Moss (Flathead), Murray, Stevens, Stromnes. Total 18.

Substitute House Bill No. 51 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Berthot, Bjerneby, Bower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Emswiler, Findlater, Flynn, Gebhardt, Goodwin, Hageman, Hammond, Hess, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Loughran, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, Miles, Morrison, Moss (Custer), Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Woods, Zuck and Mr. Speaker. Total 75.

Noes: Brower, Duncan, Long, Melin, Newell, Padbury, and Wilson. Total 7.

Absent and not voting: Acher, Anderson (Cascade), Beck, Ekern, Freshman, Friedl, Green, Hoiness, Horrigan, Lehrkind, Longenecker, Lowe, Malee, McLeod, Metlen, Moss (Flathead), Murray, O'Connor, Stevens and Stromnes. Total 20.

House Bill No. 60 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Berthot, Bjerneby, Bower, Brower, Byrne, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Gebhardt, Goodwin, Hageman, Hammond, Hess, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Lippard, Listug, Long, Loughran, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, Melin, Metlen, Miles, Morrison, Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck and Mr. Speaker. Total 81.

Noes: Brown and Ryan. Total 2.

Absent and not voting: Acher, Beck, Cole (Prairie), Ekern, Freshman, Friedl, Green, Hoiness, Horrigan, Lehrkind, Longenecker, Lowe, Malee, McLeod, Moss (Flathead), Murray, Rice, Stromnes and Woods. Total 19.

House Bill No. 140 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Beck, Berthot, Bjerneby, Bower, Brower, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Lynch, McClain, McFatridge, McKenna, McLeod, Miles, Morrison, Newell, Padbury, Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Stafford, Stevens, Tyler, Vanderback, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 72.

Noes: Beadle, Brown, Cannon, D'Ewart, Loughran, Martin, McCarthy, McGee, Melin, Moss (Custer), Murray, Ryan, Spiegel and Sullivan. Total 14.

Absent and not voting: Acher, Baker, Balgord, Ekern, Freshman, Friedl, Horrigan, Longenecker, Lowe, Malee, Metlen, Moss (Flathead), O'Connor, Parker (Wibaux), Stewart and Stromnes. Total 16.

House Bill No. 182 was passed by the following vote.

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beck, Berthot, Bjorneby, Bower, Brower, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Lippard, Long, Loughran, Lynch, Martin, McClain, McFatridge, McKenna, McLeod, Melin, Miles, Morrison, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 76.

Noes: Beadle, Brown, Cannon, McCarthy, McGee, Moss (Custer), Ryan, Spiegel and Sullivan. Total 9.

Absent and not voting: Acher, Baker, Ekern, Freshman, Friedl, Horri-gan, Listug, Longenecker, Lowe, Malee, Metlen, Moss (Flathead), Murray, Newell, Petersen, Smith and Stromnes. Total 17.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

D'Ewart in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Amendments to House Bill No. 79 be concurred in.

That House Bills Nos. 87, 81, 123 and 155 do pass.

That House Bill No. 185 be amended as follows: Amend Section 1, line 12 of the printed bill by striking the words "one personal supervisor" and as amended do pass.

That consideration of House Bill No. 189 be passed for the day.

That House Bill No. 190 do pass.

That Senate Bill No. 12 be concurred in.

That Senate Joint Memorial No. 2 be concurred in.

That Senate Joint Memorial No. 3 be indefinitely postponed.

That Senate Joint Memorial No. 5 be concurred in.

D'EWART, Chairman.

It was moved by D'Ewart, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by O'Connor, duly seconded, that Senate Joint Memorial No. 3 be segregated from the report of the Committee of the Whole. A roll call, to be entered in the Journal, was demanded by the required number. A call of the House was also requested. On motion, duly seconded and carried, call of the House was dispensed with. Whereupon, motion to segregate failed by the following vote:

Ayes: Acton, Anderson (Phillips), Armstrong, Aronson, Baker, Balgord, Brower, Clark, Cole (Petroleum), Collins, D'Ewart, Duncan, Dunn, Emswiler, Findlater, Gebhardt, Green, Hageman, Hammond, Hoiness, Horri-gan, Kellogg, Laubach, Leuthold, Liggett, Lippard, Listug, McFatridge, Miles, Newell, O'Connor, Padbury, Parker (Flathead), Potter, Reed, Roehl, Scofield, Smith, Stewart, Watson, Williams, Wilson and Woods. Total 43.

Noes: Anderson (Cascade), Antrim, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Byrne, Cannon, Cole (Prairie), Daniel, DeDobbeleer, Dougherty, Flynn, Goodwin, Hess, James, Kirscher, Lambert, Lehrkind, Long, Loughran, Lynch, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Metlen, Morrison, Moss (Custer), Parker (Wibaux), Petersen, Rice,

Ryan, Siegling, Sorte, Spiegel, Stevens, Sullivan, Tyler, Vanderbeck, Wenger, Zuck and Mr. Speaker. Total 48.

Absent and not voting: Acher, Ekern, Freshman, Friedl, Longenecker, Lowe, Malee, Moss (Flathead), Murray and Stromnes. Total 10.

Passed: Stafford. Total 1.

Whereupon report of the Committee of the Whole was adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 164, 165, 186, 202 and Substitute House Bill No. 120, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 36, 145 and 161.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bill No. 125 and Substitute House Bills Nos. 13 and 18, beg leave to recommend that the same be considered correctly engrossed.

RICE, Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that the House recess until 4:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

NOTICES

Authors gave notice, that they would on tomorrow or some subsequent day introduce the following:

By Morrison and Armstrong: A Bill for an Act entitled: "An Act relating to jurisdiction over boxing, sparring and wrestling matches—licenses—application for licenses and amending Section 4554 of the Revised Codes of Montana, 1935; relating to duration of bouts—glove specifications—rules and regulations of wrestling matches—physical examination of participants, and amending Section 4556 of the Revised Codes of Montana, 1935; relating to forfeiture of license for conducting fake bouts, and amending Section 4557 of the Revised Codes of Montana, 1935, relating to penalty for participating in fake bouts, and amending Section 4558 of the Revised Codes of Montana, 1935; relating to report of ticket sales-tax and gross receipts—moneys paid in Veterans' Memorial Fund—expenditures—investment, and amending Section 4559 of the Revised Codes of Montana, 1935; relating to bond of applicant for license, and amending Section 4560 of the Revised Codes of Montana, 1935."

By Beck and DeDobbeleer: A Bill for an Act entitled: "An Act providing for the stabilization of prices on dairy products, poultry products, fruits and vegetables; setting up standards of fair competition in such products; providing for the duties of the Commissioner of Agriculture, Labor and Industry under this Act; and providing penalties for violation of the Act."

By Long, Ryan, and D'Ewart: A Bill for an Act entitled: "An Act relating to the primary election laws of the State of Montana; providing

manner of filing petitions for nominations; form of petitions; percentage of electors required on petitions; qualification of petitioners; amending Sections 640 and 641, Revised Codes of Montana, 1935, and repealing all Acts and parts of Acts in conflict therewith."

By Beck, DeDobbeleer, Melin and Spiegel: A Bill for an Act entitled: "An Act to appropriate money from the General Fund from the Treasury of the State of Montana for the use and benefit of the Montana State College located at Bozeman, Montana, providing for erection and equipping of additional housing facilities on the campus; providing that the additional housing facilities shall be operated by the students of the college on a co-operative plan; providing a name for the cooperative association and repealing Chapter 94 of the Laws of 1929, designated in the Revised Codes of Montana, 1935, as being Sections 836.1 to 836.6 inclusive."

By Stevens and Murray: A House Joint Resolution entitled: "A House Joint Resolution accepting the designation of July 19, 1939, as "Montana Day" in the calendar of the special events at the New York World's Fair of 1939, providing for proper observance thereof, prescribing the duties of the 1939 anniversary commission in connection therewith and urging the participation of certain organizations and of the citizens of the State of Montana therein."

By Lehrkind, Lambert, Metlen, Goodwin, Hoiness and McClain: A Bill for an Act entitled: "An Act to amend Sections 1, 4 and 5, Chapter 87 of the Laws of the Twenty-fifth Legislative Assembly of the State of Montana, entitled "An Act establishing a retirement system to provide for the retirement upon retirement allowances of public school teachers in the State of Montana; establishing a Retirement Board for the administration of such system; and fixing the powers and duties thereof; fixing the membership in the retirement system and providing retirement allowances thereunder; establishing certain funds for the administration of said system and providing for the securing of the moneys; income, and revenue for the maintenance of such funds, and providing for the appropriation of such funds as are necessary; and providing for the discontinuing of the retirement system established by Sections 1113 to 1132, inclusive, of the Revised Codes of Montana of 1935," so that teachers in the University of Montana shall be included in the membership in the Teachers' Retirement System of the State of Montana.

By Laubach: A Bill for an Act entitled: "An Act providing for the appointment and removal of a Game Manager by the State Fish and Game Commission, and prescribing his qualifications; providing for his oath and bond; providing for his salary; prescribing his powers and duties; providing for the employment of assistants and employees of the Game Manager; and repealing all Acts and parts of Acts in conflict herewith."

By McKenna, Hoiness, O'Connor, Sorte and DeDobbeleer: A Bill for an Act entitled: "An Act relating to transferring money or personal property not to exceed in value the sum of Two Hundred Fifty Dollars, to a minor by delivery to the parent of said minor, and effect thereof."

By Aronson, by request: A Bill for an Act entitled: "An Act concerning gambling games and gambling devices; providing for the operating thereof under duly issued licenses by the Montana Liquor Control Board; providing for certain license fees and the distribution of the money obtained therefrom; prohibiting persons under the age of twenty-one years from playing at or loitering about any such games or from entering or being permitted to enter any house, room, or premises wherein any gambling games or gambling devices are operated or conducted; providing penalties for the violation of the provisions of this Act and repealing all Acts or parts of Acts in conflict herewith."

By Antrim by request: A Bill for an Act entitled: "An Act providing for the levy of taxes for the support of common schools amending Section 1202 to provide a common school levy of not to exceed twelve mills

per dollar, on the taxable property within the county; and amending Section 1203 relating to a special school tax to provide a tax levy of not to exceed six mills, on the taxable property of the school district; and amending Sections 1219 and 1222 to conform; and repealing all Acts and parts of Acts in conflict herewith."

By Sorte, Tyler and DeDobbeleer: A Bill for an Act entitled: "An Act declaring an emergency and transferring moneys from the public school general fund to the common school equalization fund in conformity with the order of the State Board of Education."

By Williams: A Bill for an Act entitled: "An Act licensing persons engaged in pruning trees and shrubbery and engaged in tree surgery; establishing an examining board and defining its powers and duties; fixing fee for licenses; declaring violations of this Act to be a misdemeanor and fixing punishment therefor; and providing for the uses of fees collected hereunder."

By Williams: A Bill for an Act entitled: "An Act licensing public sprayers, fixing the fee therefor, prescribing the powers and duties of the Division of Horticulture, fixing the punishment for violations of this Act and providing for uses of the fee."

By Kirscher, by request: A Bill for an Act entitled: "An Act providing for certain reports to be made by all holders of land in which the State of Montana has an equity, and repealing all Acts and parts of Acts in conflict therewith."

By Goodwin and Hoiness: A Bill for an Act entitled: "An Act to amend Chapter 82 of the Laws of the Twenty-fifth Legislative Session of 1937, relating to Public Welfare, by adding thereto a new part to be known as Part IX relating to payments to persons who have silicosis, as herein defined; providing eligibility requirements; providing medical examinations and procedure for determining who are entitled to such payments, and providing administration by the State Department of Public Welfare and the County Department of Public Welfare, and prescribing their powers and duties."

By DeDobbeleer, James and Beck: A Bill for an Act entitled: "An Act defining 'itinerant merchant' and 'established place of business'; providing who are exempt from the provisions hereof; requiring a license and fixing the amount thereof and prescribing the conditions under which the same shall be issued; providing for a bond, defining the conditions thereof; stating when and how a license may be revoked; defining the powers and duties of the Commissioner of Agriculture, peace officers and employees of the Department of Agriculture; designating the disposition of funds; stating this Act shall not affect or repeal certain existing laws; declaring the intent of the legislature; fixing a penalty for violations and designating the effective date."

By Lambert and Flynn: A Bill for an Act entitled: "An Act to amend Section 2650.1 of Chapter 242 of the Revised Codes of Montana, 1935, to empower the State Board of Health to prescribe rules and regulations for the drilling of water wells for general human use, and recording of data pertaining thereto, registration of drillers and applications for drilling."

By Flynn: A Bill for an Act entitled: "An Act relating to the deed-ing, mortgaging, transferring and conveying of real estate, and providing who must join in the same."

By Sorte: A Bill for an Act entitled: "An Act to appropriate money for the payment of certain claims for refund of taxes erroneously paid into the State Treasury."

By Committee on State Boards and Offices: A Bill for an Act entitled: "An Act to authorize the Department of Agriculture, Labor and Industry, through the Division of Labor and Publicity to assist and co-

operate in the enforcement of the Fair Labor Standards Act of 1938, and providing for reimbursement by Federal Agencies for the cost of such assistance and cooperation."

By Duncan: A Bill for an Act entitled: "An Act to amend Section 5019, Revised Codes of Montana, 1935, as amended by Chapter 4, Laws of 1937, relating to Fire Departments in cities and towns of the State and providing for the establishment, organization, equipment, management and control thereof as part of the police power of the State in the interest of public safety."

By DeDobbeleer, Tyler, James and Beck: A Bill for an Act entitled: "An Act to amend Section 2000 of the Revised Codes of Montana, 1935, relating to the percentage of the true and full value of each class of taxable property in this state, which shall be taken and used as the basis for the imposition of the taxes thereon."

By Baker: A Bill for an Act entitled: "An Act to amend Section 11688, Revised Codes of Montana, relating to the filing of an accusation against district, county, township or municipal officers and school trustees for wilful or corrupt misconduct or malfeasance in office."

By Anderson (Phillips), by request: A Bill for an Act entitled: "An Act relating to certain city electricians in cities of the first and second classes; providing for their employment, term of office and trials for misconduct and malfeasance in office, and repealing all Acts and parts of Acts in conflict therewith."

By Hess, by request: A Bill for an Act entitled: "An Act to establish minimum wages for employees of Montana Liquor Control Warehouse; providing for the establishment of seniority roster to protect the rights of those employed by the Montana Liquor Control Warehouse; and providing for the fair and impartial hearing of anyone about to be dismissed from employment from the warehouse of the Montana Liquor Control Board."

By Moss (Custer): A Bill for an Act entitled: "An Act providing for the registration of motor vehicles hauling merchandise or property on the public roads and highways of the State of Montana; defining hauling merchandise or property for purposes of this Act; providing such motor vehicles be equipped with milemeters; providing the weighing of motor vehicles and checking milemeters by the State Highway Commission of Montana; providing for reports to be filed on a mile basis; and payment of fees thereon; providing for the disposition of fees; providing for checking stations and other facilities necessary for the enforcement of this Act; fixing duties of the State Highway Commission and authority of checkers; providing exemptions hereto; providing penalties for violation of the provisions of this Act."

By Malee: A Bill for an Act entitled: "An Act to amend Section 2396.3 of the Revised Codes of Montana of 1935, as amended by Chapter 102 of the Session Laws, Twenty-fifth Legislative Assembly of Montana, providing for the determination and use of a distribution of the State Highway Fund for construction purposes."

By D'Ewart: A Bill for an Act entitled: "An Act to amend Sections 3745, 3746, 3747, 3748, 3749 and 3750 of the 1935, Revised Codes of Montana."

By Fish and Game Committee: A Bill for an Act entitled: "An Act to amend Section 3689 of the Revised Codes of Montana, 1935, relating to the carrying and exhibiting of licenses."

By Sullivan and Beadle: A Bill for an Act entitled: "An Act to amend Section 5110 of the Revised Codes of Montana, 1935, relating to Fire Departments and compensation of members thereof, by including in the

membership thereof a city machinist and assistant city machinists, and repealing all Acts in conflict."

By Dougherty: A Bill for an Act entitled: "An Act to appropriate money for the operation, maintenance and other purposes, as designated herein, for all State Departments, Boards, Bureaus, Commissions and Institutions, for the period beginning July 1, 1939 and ending June 30, 1941."

By Smith, Hoiness, Stafford and Brower, by request: A Bill for an Act entitled: "An Act to provide for the appointment of a temporary commission for the study of proposed uniform State Laws, defining its duties and making an appropriation therefor."

By Hoiness, by request: A Bill for an Act entitled: "An Act to amend Section 1190 of the Revised Codes of Montana, 1935, relating to contracts for supplying textbooks."

By Martin: A Bill for an Act entitled: "An Act to establish minimum hours of labor for registered nurses; conforming to the Constitutional Amendment, amending Section four (4) of Article 18 of the Constitution of the State of Montana; fixing who shall be held responsible for the compliance of this Act; providing penalty for the violation of this Act; and, repealing all Acts and parts of Acts not consistent herewith."

By Longenecker: A Bill for an Act entitled: "An Act to amend Section 349.3 of the Revised Codes of Montana of 1935, relating to the appointment of members of the Water Conservation Board."

By Armstrong and Sorte: A Bill for an Act entitled: "An Act creating a Veterans' Memorial Fund Commission; providing for the appointment and compensation of Commissioners; defining duties of the Commission; providing for the Commission's control of the Veterans' Memorial Fund; providing for the construction and maintenance of a Veterans' Memorial building."

By Armstrong: A Bill for an Act entitled: "An Act defining 'Solicitor' or 'Insurance Solicitor'; providing for the appointment, regulation and license fee for said solicitors."

By Bjorneby: A Bill for an Act entitled: "An Act providing that there shall be an implied warranty on household electrically driven appliances by the seller of used articles."

By Metlen: A Bill for an Act entitled: "An Act authorizing and directing the State Board of Examiners of the State of Montana to purchase additional lands for campus purposes at the Normal College at Dillon, Montana, and appropriating money for the payment of the price of said land."

By McLeod and Murray: A Bill for an Act entitled: "An Act to amend Section 2815.29 Revised Codes of Montana, 1935, relating to tax on imported beer and providing for the distribution of revenue."

By Spiegel and Baker: A Bill for an Act entitled: "An Act relating to a natural gas distributor's pipeline and producer's license tax; defining terms used therein; providing for amount and computation thereof; measurement of gas distributed; time for payment of tax; records required to be kept; statements of gas distributed and produced; disposition of revenues; penalty for violation of Act; prescribing certain powers and duties of the State Board of Equalization in connection therewith; and repealing all Acts and parts of Acts in conflict therewith."

By Freshman: A Bill for an Act entitled: "An Act relating to the licensing of slot machines; defining slot machines; providing the manner of licensing; allowing cities, towns, and counties to license slot machines in addition to a state license; and for the disposition of fees; prohibiting allowing minors to play such machines; providing penalties for the viola-

tion of this Act; declaring an emergency to exist; repealing all Acts and parts of Acts in conflict herewith."

By Berthot: A Bill for an Act entitled: "An Act creating a State Commission of State Government reorganization; providing for the appointment of the members, the powers and duties of the commission, the cooperation of all State officials and employees, public hearings, and a report to the Legislative Assembly in January, 1941; and further providing for an appropriation of One Thousand Dollars to cover the expense of the commission and report.

By Committee on State Lands: A Bill for an Act entitled: "An Act to amend Section 1805.79, Revised Codes of Montana, 1935, relating to the terms of payment upon a purchase of State land; and providing that a purchaser of State land shall make a payment on the day of sale."

By Murray: A Bill for an Act entitled: "An Act to amend Sections 11573.4 and 11573.8 of the Revised Codes of Montana of 1935, relating to the production and sale of prison made goods; and repealing Section 11573.5 of the Revised Codes of Montana."

By Malee: A Bill for an Act entitled: "An Act to amend Sections 3685 and 3685.3, Revised Codes of Montana, 1935, relating to the classes of licenses for hunting and taking game and fish and fur-bearing animals within the State of Montana; the fees and powers under such licenses; and repealing all Acts and parts of Acts in conflict therewith."

By Murray, by request: A Bill for an Act entitled: "An Act to amend Section 1783 of the Revised Codes of Montana of 1935, relating to the State Highway Commission—creation, salary, bond, term of office."

By Judiciary Committee: A Bill for an Act entitled: "An Act to amend Sections 9399 and 9400, Revised Codes of Montana, 1935, relating to motion for new trial, abolishing notices of intention of motion for new trial, and regulating proceedings on motion, hearings and record thereon."

By Hammond, Melen, Martin and Hoiness: A Bill for an Act entitled: "An Act relating to libraries and providing for the creation of joint county or regional libraries, the manner of their creation, the method by which funds shall be handled, providing for a board of trustees, the manner in which expenditures may be made; and providing that the counties shall levy a tax for the support of said library."

By Gebhardt and Hoiness: A Bill for an Act entitled: "An Act relating to the certification of librarians in the State of Montana and providing that the Library Extension Commission, the Secretary of the Commission, and a Librarian appointed by the Governor shall have authority to grant certificates to Librarians after examination, and providing the fee to be charged applicants for a certificate and the deposit of such fees with the State Treasurer."

By Hammond, Melen, Martin and Hoiness: A Bill for an Act entitled: "An Act to appropriate money for the use of the Montana State Library Extension Commission for the administration of said commission, including incidental expenses and a fund to be used in aiding libraries in the State of Montana."

By McGee: A Bill for an Act entitled: "An Act to amend Section 2620.16, Revised Codes of Montana, 1935, relating to the licensing of creameries, butter factories, cheese factories and ice cream factories; providing the fees that shall be paid for such licenses, and providing that such creameries, butter factories, cheese factories and ice cream factories shall furnish a surety bond to secure payment for all milk, cream or other dairy product purchased."

By McGee: A Bill for an Act entitled: "An Act creating a State Commission for the study of occupational diseases; providing for the appoint-

ment of members of said commission and prescribing their powers and duties; providing the compensation and expenses of members of said commission, their term and tenure of office; providing for the effective date of this Act, creating a fund and making an appropriation therefor and repealing all Acts in conflict herewith."

By Malee: A Bill for an Act entitled: "An Act to amend Sections 3650, 3651, 3652 and 3675 of the Revised Codes of Montana, 1935, providing the creation of a Fish and Game Commission for the State of Montana, fixing the number of Commissioners thereof; dividing the State into Commissioner Districts and fixing boundaries and areas thereof; providing for the appointment of Commissioners; prescribing their qualifications; providing for the organization and operation of said commission; providing for legal advice and prosecution of actions for the violation of the Fish and Game Laws and the payment of costs thereof; and repealing all Acts and parts of Acts in conflict herewith."

By McLeod and Murray: A Bill for an Act entitled: "An Act to amend Section 11,171, Revised Codes of Montana, 1935, relating to officers neglecting duty in enforcing gambling laws, and penalty therefor."

By Hammond, Cannon and Malee: A Bill for an Act entitled: "An Act to amend Section 3722 of the Revised Codes of Montana, 1935, relating to protection, trapping, capturing, sale and transplanting of beaver; authorizing the State Fish and Game Commission to trap, capture, sell or transplant the same, and to make rules and regulations relative thereto; to cooperate with private land owners and reimbursement for damages sustained; providing for the tagging of skins, and the sale and shipment thereof; providing for the disposition of proceeds from the sale of beaver skins under this Act, and repealing all Acts and parts of Acts in conflict herewith."

By Antrim by request: A Bill for an Act entitled: "An Act to amend Section 3691 of the Revised Codes of Montana, 1935, relating to animals which may be hunted without license and persons not required to have a license."

By Stevens: A Bill for an Act entitled: "An Act relating to the preservation of historical, archaeological and scientific resources of the State of Montana; creating and establishing a commission to be known as the Science Commission of Montana; designating the members thereof, and prescribing the duties, powers and authority of said Commission; providing penalties for violation of this Act, and providing that all Acts or parts of Acts in conflict with or within the purview of this Act are hereby repealed."

By Cannon and McGee: A Bill for an Act entitled: "An Act relating to the sale and possession of salmon or other fish eggs, salmon or other fish spawn, imitations thereof, substances prepared therefrom, and permitting the use thereof."

By Smith: A Bill for an Act entitled: "An Act to amend Section 8868 of the Revised Codes of the State of Montana of 1935, relating to cases in which a judge may be disqualified, providing for the calling in of another judge, and providing for the time in which to file affidavits of disqualification."

By Goodwin and Daniel: A Bill for an Act entitled: "An Act relating to the closed and opened season for the killing and taking of elk in Lincoln county, State of Montana, providing for the powers and duties of the Montana State Fish and Game Commission relative to the conditions of this Act, making violation of this Act a misdemeanor, providing a penalty for such violation."

By Employment Committee: A Bill for an Act entitled: "An Act providing the manner in which employees of the House of Representatives shall be selected."

By Rice and Morrison: "A Resolution Memorializing the Congress of the United States; requesting legislation amending the Social Security Act to include sufferers from occupational diseases and to match State appropriations by Federal Aid."

By Smith and Watson: A Bill for an Act entitled: "An Act to amend Section 556, Revised Codes of Montana, 1935, relating to the registration of electors who are infirm or residing more than ten (10) miles distance from the office of the County Clerk, and providing for the registration of persons who are temporarily absent from the State."

By Smith: A Bill for an Act entitled: "An Act authorizing cities and towns to transfer funds and make adjustments between funds to remove inactive accounts from the city records, and repealing all Acts and parts of Acts in conflict herewith."

By Hess, James and Lambert: A Bill for an Act entitled: "An Act relating to life, health and accident insurance companies who issue group insurance policies and certificates; and repealing all Acts and parts of Acts in conflict herewith."

By Bjorneby: A Bill for an Act entitled: "An Act to amend Section 8899 of the Revised Codes of Montana, 1935, relating to the duty of the Clerk of the Court in preparing the jury box; amending Section 8904 of the Revised Codes of Montana, 1935, as amended by Chapter 151 of the Laws of 1937; and Sections 8906 and 8907 of the Revised Codes of Montana, 1935, relating to the drawing of jurors."

By Duncan: A Bill for an Act entitled: "An Act providing that persons eligible for jury duty in the State of Montana shall pay road taxes and poll taxes in counties and cities or towns of the State of Montana."

By Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to authorize the State Board of Equalization of the State of Montana to make request of the United States for the payment of sums in lieu of taxes: To authorize the State Board of Equalization to consummate agreements with the United States for the performance of services by the State for the benefit of projects, as defined herein, and for the payment by the United States of sums in lieu of taxes; and to provide for the deposit of payments of sums in lieu of taxes."

By Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act authorizing the issuance of bonds of the State of Montana to refund Capitol Building Bonds of said State and held by the State Board of Land Commissioners, and providing for the payment thereof."

By Malee, Hoiness, Padbury and Melin: A Bill for an Act entitled: "An Act to appropriate money for the Department of Agriculture, Labor and Industry, division of Labor and Publicity, for the use of the Montana Commission for the Golden Gate International Exposition, in staffing, maintaining and advertising a Montana exhibit at the Golden Gate International Exposition."

By Malee, Hoiness, Padbury, Stafford and Melin: A Bill for an Act entitled: "An Act to appropriate money from the State General Fund for the State Highway Commission to pay for advertising of National scope and character in newspapers, magazines and in pamphlet form describing recreational and vacational advantages of Montana."

By Lippard: A Bill for an Act entitled: "An Act providing for the qualifications of the Adjutant General of Montana."

By Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Section 2091.1 of the Revised Codes of Montana, 1935, relating to taxation and payment on royalty interests on the production of petroleum and natural gas, and production from metalliferous mines, and providing the method of assessment of each class of royalty interests."

By McKenna: A Bill for an Act entitled: "An Act relating to the appointment of an Assistant Adjutant General of the State of Montana; providing for his qualifications, and relating to the duties of such office."

By Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act requiring every person, firm, co-partnership, association, joint stock company, syndicate and corporation engaging in or carrying on the business of producing natural gas within this state, or engaged in or carrying on the business of owning, controlling, managing, leasing or operating within this state, any system or plant for the production of natural gas within this state, shall pay to the State Treasurer for engaging in or carrying on such business certain license fees for the exclusive use and benefit of the State of Montana; fixing the amount of such license fees; prescribing a method for the assessment and collection thereof; and prescribing a lien on the property of such operators to ensure payment of the tax."

By Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to authorize the Board of County Commissioners of any county in this State to make request of the United States for the payment of sums in lieu of taxes; to authorize the said Board to consummate agreements with the United States for the performance of services by the County and the political subdivisions of the State therein for the benefit of a project, as defined herein, and for the payment of sums in lieu of taxes by the United States; to provide for the notification to such subdivisions of the consummation of such agreements; to provide for the deposit and distribution of payments of sums in lieu of taxes; to authorize certain political subdivisions to make request of the United States for the payment of sums in lieu of taxes and to enter into agreements with the United States, in their own names, for the performance of services for the benefit of a project, as defined herein, and for the payment of sums in lieu of taxes by the United States; and to provide for the establishment of the 'government project fund'."

By Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Section 2239 of the Revised Codes of Montana, 1935, relating to the duty of County Treasurers with respect to the collection of taxes on personal property not secured by a lien on real property."

By Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act requiring licenses for the operation, maintenance, opening or establishment of stores in this State, the classifying of such stores, prescribing the license and filing fees to be paid therefor and the disposition thereof, and the powers and duties of the State Board of Equalization in connection therewith; and prescribing penalties for the violation thereof and repealing Sections 2420.1, 2420.2, 2420.3, 2420.4, 2420.5, 2420.6, 2420.7, 2420.8, 2420.9, 2420.10, 2420.11, Revised Codes of Montana, 1935."

By Stewart by request: A Bill for an Act entitled: "An Act to amend Section 2122.9, Revised Codes of Montana, 1935, relating to appeals to the State Board of Equalization; and providing for appeals to the State Board of Equalization, and an additional remedy by appeal to the District Court."

By Hess, Melin, Martin, DeDobbeleer and McGee. A Bill for an Act entitled: "An Act relating to and regulating the sale of oleomargarine; defining oleomargarine and a retailer and a wholesaler thereof; providing for and fixing the amount of license to sell or exchange oleomargarine and for the revocation thereof; providing for quarterly report to the department of Agriculture, Labor and Industry by persons handling oleomargarine; levying a tax per pound on oleomargarine handled, and providing for stamps and the manner of collecting such tax; providing for bond to be furnished by wholesaler; providing for the redemption of unused stamps; designating the disposition of funds; fixing a penalty; providing for the enforcement of this Act and repealing all Acts in conflict."

By Smith and Morrison: A Bill for an Act entitled: "An Act defining and regulating the practice of professional engineering in the State of Montana; providing for the creation of the State Board of Registration for professional engineers and prescribing their powers and duties, terms of office, qualifications and for payment of their compensation and expenses out of the "professional engineering fund" as provided in this law; providing for removal of members of the board for cause; providing for creation of "professional engineers fund" and appropriating money therefrom; prescribing requirements for registration of professional engineers; providing for registration fees and for examinations of applicants for certificate of registration and for issuance and use of certificates and seals; providing for issuance of renewal certificates on payment of renewal fees; providing that a firm, co-partnership, corporation or joint stock association may engage in the practice of professional engineering in this state provided such practice is carried on by only professional engineers registered in this state; providing for issuance, within one year after this Act becomes effective, of certificates, on certain conditions, to residents of Montana practicing professional engineering in Montana at time this Act becomes effective; providing that after May 1, 1939, it shall be unlawful for this State, or any of its political subdivisions, or any county, city or town, to engage in the construction of public work involving professional engineering, unless plans, specifications and estimates have been prepared for the construction to be executed under direct supervision of a registered professional engineer, provided that such provision shall not apply to any public work wherein the contemplated expenditure for a completed project does not exceed Three Thousand Dollars (\$3,000.00); providing for certain exemptions; prescribing certain reciprocity provisions for professional engineers holding certificates of registration as such issued under authority of National Council of State Boards of Engineering Examiners, or National Bureau of Engineering Registration, or any State or Territory or Possession of the United States, or any country, under certain conditions; providing the grounds on which the Board may revoke certificates of registration and for hearings on such charges; providing for suit against the Board in certain District Courts to annul or vacate order of the Board revoking certificates of registration; defining as a misdemeanor certain Acts committed after the first day of May, 1939, prescribing the penalties for such violations and that each day of such violation shall be a separate offence; prescribing duties of the Board in connection with enforcement of provisions of this Act and duties of an Attorney General and his assistants as legal advisors of the Board, declaring certain legislative intent in respect to this Act; repealing conflicting laws, provided, however, that this Act shall not be construed as repealing or amending any law affecting or regulating licensed State Land Surveyors and that licensed Land Surveyors in performing their duties as such shall not be subject to the provisions of this Act; and further providing that this Act shall not be construed to affect or prevent the practice of any other legally recognized profession by members of such profession licensed by the State, and declaring an emergency."

By Long: A Bill for an Act entitled: "An Act to clarify existing Laws and declare the policy of this State respecting the eligibility for the appointment of State officers or employees; and making a person who holds one office or position or employment for remuneration with the State of Montana, or any subdivision thereof or any municipality, or the United States, ineligible for any other office or employment in this State."

By Cannon: A Bill for an Act entitled: "An Act relating to motor vehicle dealers' license tax, providing rates, computation of tax, reports and payment to County Treasurer, disposition of proceeds, and penalty for violation thereof."

By Dunn and Padbury: A Bill for an Act entitled: "An Act relating to the dairy industry, declaring the public policy of this State to promote the expansion of the dairy industry by promoting the increased use of dairy products by providing for research and publicity advertising and sales promotion campaign; to increase the consumption of Montana Dairy

products; levying an excise tax on dairy products and providing for its collection; providing for the powers, duties and authority of the commissioner of Agriculture, Labor and Industry; providing penalties for the violation of this Act; providing for an appropriation; and providing that this Act shall take effect April 1st, 1939."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 37, 27 and 52. House Joint Memorial No. 7.

COLE, Vice Chairman.

Report adopted.

I have examined House Bill No. 37, introduced by me and find the same to be correct.

METLEN.

I have examined House Bill No. 52, introduced by me and find the same to be correct.

BERTHOT

I have examined House Bill No. 27, introduced by me and find the same to be correct.

WILLIAMS.

I have examined House Joint Memorial No. 7, introduced by me and find the same to be correct.

HOINESS.

The Speaker signed the following in open session: House Bills Nos. 37, 27, 52 and House Joint Memorial No. 7.

Mr. Speaker: We, your Committee on Printing to whom was referred House Bills Nos. 56, 132, 197, 209 and House Joint Memorial No. 15, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 81, 119, 122 and 123. House Joint Memorial No. 11.

RICE, Chairman.

Report adopted.

Mr. Speaker: We your Committee on Engrossing, to whom was referred House Bills Nos. 155, beg leave to recommend that the same be considered correctly engrossed.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 194, respectfully report as follows: That House Bill No. 194 do not pass.

FLYNN, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 53, respectfully report as fol-

lows: That House Bill No. 53 do not pass, but recommend that Substitute House Bill No. 53: A Bill for an Act entitled: "An Act to amend Section 5668.41, Section 5668.42, Section 5668.43, and Section 5668.44 of the Revised Codes of the State of Montana for 1935, requiring that any board, council, commission trustee or body acting for the State or any County or Municipality or any public body, who shall contract with any person or corporation to do any work for the State, County, Municipality or other public body, to require a good and sufficient bond therefor, and providing the terms, conditions and provisions of said bond, and prescribing the liability of the State or any County or Municipality or public body for failure to take such bond, and repealing all Acts or parts of Acts in conflict herewith." Do pass.

FLYNN, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration Senate Bill No. 16, respectfully report as follows: That Senate Bill No. 16 be concurred in.

BERTHOT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 151, respectfully report as follows: That House Bill No. 151 be amended as follows:

Strike out, on Page 2, Section 2, line 14; "Two Hundred Thousand Dollars (\$200,000.00)" in lieu thereof, add, "One Hundred Thousand Dollars (\$100,000.00)." Strike out, on Page 2, Section 3, lines 27 and 28; "Six Thousand Dollars (\$6,000.00)", in lieu thereof, add, "Four Thousand Dollars (\$4,000.00)" and as amended, do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 250, respectfully report as follows: That House Bill No. 250 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 252, respectfully report as follows: That House Bill No. 252 be re-referred to the Committee on Education.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 275, respectfully report as follows: That House Bill No. 275 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 265, respectfully report as follows: That House Bill No. 265 do not pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 70, respectfully report as follows: That House Bill No. 70 be amended as follows:

Section 3. The sum, "Twenty-five Thousand Dollars (\$25,000)" be stricken and in lieu thereof insert the following: "Seventeen Thousand Five Hundred Dollars (\$17,500)." And as amended do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 63, respectfully report as follows: That House Bill No. 63 do not pass, but recommend that Substitute House Bill No. 63:

A Bill for an Act entitled: "An Act creating a department of Civil Service for the State of Montana, prescribing the powers, duties, and procedure of the Civil Service Commission and the Director of the State Civil Service in said department; providing for and regulating the Civil Service in said State; to provide employment and Civil Service preference for certain veterans or their wives and widows; prescribing penalties for the violation of the provisions of this Act; repealing certain Acts and parts of Acts inconsistent with the provisions of this Act; and making appropriation for the support of the said department." Be referred to the Committee on Appropriations.

FLYNN, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 280, respectfully report as follows: That House Bill No. 280 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 227, respectfully report as follows: That House Bill No. 227 be brought out as a bill without any recommendation.

DeDOBBELEER,
Chairman.

It was moved by DeDobbeleer, duly seconded, that the report of the committee be adopted.

On substitute motion, it was moved by Zuck, duly seconded and carried, that House Bill No. 227 be printed and placed on General Orders.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 242, respectfully report as follows: That House Bill No. 242 do pass.

FLYNN, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 232, respectfully report as follows: That House Bill No. 232 do pass.

FLYNN, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 175, respectfully report as follows: That House Bill No. 175 do not pass.

FLYNN, Vice-Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Emswiler, duly seconded and carried, that the House reconsider its action on House Bill No. 194.

It was moved by Emswiler, duly seconded and carried, that House Bill No. 194 be re-referred to the Committee on State Boards and Offices.

It was moved by McLeod, duly seconded and carried, that House Bill No. 26 be recalled from the Governor's office and returned to the Senate for a proper message.

It was moved by Lippard, duly seconded and carried, that House Bill No. 185 be considered properly engrossed and placed on Third Reading.

It was moved by Malee, duly seconded and carried that the Chief Clerk be instructed to correct the title of House Bill No. 190 by inserting the following amendment: After the words "an Act" in the title insert the following: "To amend Section 1719, Revised Codes of Montana, 1935," which will be followed by the text as shown in the original and the printed copy of House Bill No. 190.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees, all appropriation measures having been read at length:

House Bill No. 284, introduced by Metlen, Stevens, Goodwin, McLeod, Padbury and Hoiness: A Bill for an Act entitled: "An Act authorizing and directing the Governor and Board of Examiners of the State of Montana to make application to United States Public Works Administration, or the Works Progress Administration of the United States for a grant or loan, in co-operation with the State of Montana, for the construction of a suitable Montana Historical Library building, inclusive of suitable quarters therein for the Montana Supreme Court, and State Law Library, and other State offices, and the American Legion of Montana, Veterans of Foreign Wars, Disabled War Veterans, Spanish American War Veterans, and other similar veterans' organizations, together with the Society of Montana Pioneers, and Sons and Daughters of Montana Pioneers and other Patriotic organizations, as an adjunct to the State Capitol building, and authorizing the issuance and sale of revenue bonds by the Board of Examiners of the State of Montana for said purpose." Referred to Committee on State Institutions, Public Buildings and Grounds.

House Bill No. 285, introduced by Wenger, Malee and Murray: A Bill for an Act entitled: "An Act to authorize the construction of a building or buildings for the Montana State Tuberculosis Sanitarium; to provide for the issuance of revenue bonds for the payment thereof; to provide that such bonds shall not constitute or be a debt, liability or obligation of the State but shall be secured only by the rents or income of the buildings; to provide for the registration of such bonds; to provide for trust indenture and trustee for said bonds; to provide for the creation of a sinking fund and to define its purposes; to empower the State Board of Examiners to enter into all contracts and agreements necessary or incidental to the execution of its powers under this Act; to provide remedies of bondholders; and declaring an emergency." Referred to Committee on State Institutions, Public Buildings and Grounds.

House Bill No. 286, introduced by McClain and Morrison: A Bill for an Act entitled: "An Act to appropriate money for the operation and maintenance and other purposes as designated herein for the Montana Forest and Conservation Experiment Station, as created by Chapter 141 of the Session Laws of 1937, for the period beginning July 1, 1939, and ending June 30, 1941." Referred to Committee on Appropriations.

House Bill No. 287, introduced by Strommes: A Bill for an Act entitled: "An Act to amend Section 6711 and Section 6713. Revised Codes of Montana, 1935, relating to the accumulation of the income of property

directed by will, trust or transfer and relating to the application of said income, and providing the time for which an accumulation may be provided and the manner in which application may be made for allowances from an accumulation." Referred to Committee on Judiciary.

House Bill No. 238, introduced by Stromnes: A Bill for an Act entitled: "An Act to amend Section 6733, Revised Codes of Montana, 1935, relating to the power of alienation and the suspending thereof; and providing the period of time that the power of alienation may be suspended." Referred to Committee on Judiciary.

House Bill No. 289, introduced by Metlen: A Bill for an Act entitled: "An Act to amend Section 2214.2 of the Revised Codes of Montana, 1935, as amended by Chapter 132 of the Laws of Montana, Twenty-fifth Session, 1937, relating to the validating and legalizing of tax deeds, notwithstanding errors committed in the procedure provided by law for taking tax deeds." Referred to Committee on Judiciary.

House Bill No. 290, introduced by Metlen: A Bill for an Act entitled: "An Act requiring the designation by county officers of a chief deputy and to provide for the orderly conduct of county offices during the interim between the occurrence of a vacancy therein and the filling thereof, by a new section to be designated Section 4733.1 of the Revised Codes of Montana, 1935." Referred to Committee on Townships and Counties.

House Bill No. 291, introduced by Anderson (Phillips) and Woods: A Bill for an Act entitled: "An Act to amend Section 1200.4 of the Revised Codes of Montana, 1935, as amended by Chapter 38 of the Session Laws of 1937, creating a State Public School General Fund and providing for the disposal of school moneys." Referred to Committee on Appropriations.

House Bill No. 292, introduced by Berthot: A Bill for an Act entitled: "An Act validating all sales of property heretofore made by the Board of County Commissioners of any County, the title to which was at the time of such sale held by the County for use by any High School or High Schools of the County where the provisions of Section 4465.9, Revised Codes of Montana, 1935, have been complied with by such County Commissioner." Referred to Committee on Education.

House Bill No. 293, introduced by Anderson (Phillips) and Woods: A Bill for an Act entitled: "An Act relating to liability of counties for torts of its officers and employees. Referred to Committee on Townships and Counties.

House Bill No. 294, introduced by McLeod: A Bill for an Act entitled: "An Act authorizing and directing the State Board of Land Commissioners or any other authority created by the Laws of the State of Montana for the purpose of acquiring and caring for areas, sites and objects of historic value to the State, to accept titles in the name of the State of Montana to Fort Benton and/or Fort Shaw if such title or titles hereafter be granted to said Board of Land Commissioners or other authority; authorizing said State Board of Land Commissioners or other authority to create State historical monuments out of said Fort Shaw and/or Fort Benton, to restore and preserve said Fort Shaw and/or Fort Benton as historical sites and for that purpose, make application to the United States Public Works Administration or to the Works Progress Administration or for assistance through a Civilian Conservation Corps Camp and to accept any donation, gift or devise for said purpose." Referred to Committee on Townships and Counties.

House Bill No. 295, introduced by McLeod, Murray and Anderson (Cascade): A Bill for an Act entitled: "An Act to amend Sections 2343.1 and 2343.3 of the Revised Codes of Montana of 1935, as amended by Chapter 83 of the Laws of 1937, relating to electrical energy producer's license tax and the distribution of said tax." Referred to Committee on Revenue and Taxation.

House Bill No. 296, introduced by McLeod, Murray and Anderson (Cascade): A Bill for an Act entitled: "An Act to amend Section 6112 of the Revised Codes of Montana, 1935, relating to the license fee of insurance corporations, associations and societies." Referred to Committee on Revenue and Taxation.

House Bill No. 297, introduced by Morrison, by request: A Bill for an Act entitled: "An Act to appropriate money for the payment of certain claims arising out of the construction of the Student and Faculty Resident Hall at the Montana State School of Mines, Butte, Montana." Referred to Committee on Appropriations.

House Bill No. 298, introduced by Stevens: A Bill for an Act entitled: "An Act to provide for the raising of revenue for emergency purposes; to equalize, replace and substitute taxation for the maintenance of Old Age Pensions within the State by imposing taxes on the gross receipts from the retail sales of certain commodities, admissions, and services as defined herein; to provide permits to retailers; to provide for the ascertainment, levy, assessment, and collection of such tax, the distribution and use of the revenue derived therefrom and the administration of said law; to provide certain deductions and exemptions; establishing a lien for the payment of said tax; to provide fines and penalties for the violation of the provisions of the Act; to repeal all laws, or parts of laws in conflict herewith, and providing a referendum of said Act and providing the time when said Act shall be in full force and effect." Referred to Committee on Revenue and Taxation.

House Bill No. 299, introduced by Hammond and Clark: A Bill for an Act entitled: "An Act providing for the re-appraisalment of State lands when a certificate of purchase has been previously issued; to provide that by reason of said re-appraisalment certain credits shall be allowed upon the purchase price thereof; to authorize the State Land Board to remit penalties and interest which may have accrued upon delinquent payments due upon the certificate of purchase thereof; and to repeal all Acts and parts of Acts in conflict herewith." Referred to Committee on State Lands.

House Bill No. 300, introduced by Stevens: A Bill for an Act entitled: "An Act to provide for the raising of revenue for the payment of Old Age Pensions by imposing a tax upon the privilege of engaging in the business of retailing tangible personal property; by imposing a tax upon the privilege of engaging in business involving admission tickets, charges, and fees to places of amusement and athletic events and imposing a tax upon transactions involving services of gas, electricity, water, communication and transportation; providing for the levy, assessment, computation, and collection of such tax and its disposition; providing for certain refunds, exemptions and deductions; defining terms; prescribing duties and powers of the State Board of Equalization for the operation and enforcement of this Act; prescribing penalties for the violation of the provisions of this Act, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Social Security.

House Bill No. 301, introduced by Stevens: A Bill for an Act entitled: "An Act for the payment of Old Age Pensions; establishing a State Old Age Pension Commission; defining the qualifications of those entitled to receive Old Age Pensions; providing for the administration of said Act; providing for forms of applications; providing funds for the State Old Age Pension Commission and establishing a special fund known as the State Old Age Pension Fund; providing that aid from the United States government in furtherance of this Act be placed in said fund; providing for eligibility to receive pensions; providing for the residence of applicants, and change of residence; providing for the expenses incurred in carrying out the provisions of the Act; prohibiting assignments of grants; repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Social Security.

House Bill No. 302, introduced by Lambert and Ekern: A Bill for an Act entitled: "An Act relating to the licensing of slot machines; defining

slot machines; providing the manner of licensing; allowing cities, towns, and counties to license slot machines in addition to a state license; and for the disposition of fees; prohibiting the operation of slot machines without a license; prohibiting allowing minors to play such machines; providing penalties for the violation of this Act; repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Joint Memorial No. 16, introduced by Lambert: "A Memorial to the Congress of the United States requesting an investigation of certain homesteads on Indian lands in Valley, Daniels and Roosevelt counties in regard to settlement thereof, money paid therefor to the United States government, abandonment of such homesteads and thereafter the enactment of legislation for refunding to such settlers or their heirs who were compelled to abandon said land, of the amount paid therefor." Referred to Committee on Federal Relations.

Senate Bill No. 19, introduced by Armstrong: A Bill for an Act entitled: "An Act providing for the form, size and color of ballot to be used in general elections in the State of Montana; to provide for the designation of office and the manner of placing the names of candidates and their political designation; to provide for placing names of candidates for Judicial offices without political designation, and to provide the number of columns which ballots may contain, and to provide for rotation of names on the ballot; and to provide for the placement of initiatives, referendums and Constitutional Amendments on the ballot and to repeal Sections 682, 812.12. Chapter 193 of the Laws of 1937 together with all Acts and parts of Acts in conflict therewith." Referred to Committee on Privileges and Elections.

Senate Bill No. 47, introduced by Lott and Martinson: A Bill for an Act entitled: "An Act to amend Section 1186.3 of the Revised Codes of Montana, 1935, relating to qualifications of the School Bus Driver and repealing that provision of said Section 1186.3 requiring bond for such driver." Referred to Committee on Highways and Highway Transportation.

Senate Bill No. 60, introduced by Judiciary Committee: A Bill for an Act entitled: "An Act to improve the marketability of municipal bonds by providing for examination by the Attorney General, and a limitation on actions thereon." Referred to Committee on Judiciary.

Senate Bill No. 61, introduced by Judiciary Committee: A Bill for an Act entitled: "An Act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by public bodies of this State and all proceedings heretofore taken for the authorization and issuance of bonds by such public bodies." Referred to Committee on Judiciary.

THIRD READING

The following, having been read three several times, history and title agreed to, passed by the following vote:

House Bill No. 185.

Ayes: Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Baker, Balgord, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Lippard, Long, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatrledge, McGee, McKenna, McLeod, Melin, Miles, Moss (Custer), Murray, Newell, O'Connor, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Rice, Roehl, Ryan, Siegling, Smith, Sorte, Spiegel, Stevens, Sullivan, Tyler, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 77.

Noes: D'Ewart, Green, Padbury and Scofield. Total 4.

Absent and not voting: Acher, Acton, Beadle, Dunn, Ekern, Friedl, Lehrkind, Listug, Longenecker, Lowe, Metlen, Morrison, Moss (Flathead), Potter, Stafford, Stewart, Stromnes, Vanderbeck and Watson. Total 19.

Passed: Antrim and Beck. Total 2.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 214, 203, 204, 200, 114, 207 and 210, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

NOTICES

Authors gave notice, that they would on tomorrow or some subsequent day introduce the following:

By Collins, by request: A Bill for an Act entitled: "An Act to amend Sections 4 and 28 of Chapter 84 of the Session Laws of the Twenty-fifth Legislative Assembly, 1937, relating to licensing the sale of liquor at retail in the State of Montana; the fees to be paid by the retailer thereof and providing for the licensing of liquor retailers by City and Town Councils and Boards of County Commissioners, and fixing the fees of such licensing, and providing for distribution of county license fees collected; and repealing all Acts and parts of Acts in conflict herewith."

By O'Connor: A Bill for an Act entitled: "An Act regulating the method and procedure of finance companies making loans, and the rate of interest to be charged by same, and placing said finance companies under the control of the State Banking Department."

By Metlen: A Bill for an Act entitled: "An Act classifying, governing and regulating the operations of motor vehicles by carriers and the users thereof, in transporting passengers and property over the public highways in the State; imposing fees, taxes and charges for the privilege of using the highways of the State of Montana for the purpose of conducting the business of transporting passengers and property thereon for hire; providing for the administration of this Act and providing penalties for the violation thereof, and repealing Section 2 of Chapter 100 of the Laws of the Twenty-fourth Legislative Assembly, 1935.

By D'Ewart: A Bill for an Act entitled: "An Act to amend Sections 3745, 3746, 3747, 3748, 3749 and 3750 of the Revised Codes of Montana, 1935."

By Education Committee: A Bill for an Act entitled: "An Act to repeal Chapter No. 96, relating to rural school districts."

By Spiegel and McLeod: A Bill for an Act entitled: "An Act prescribing the duties of the Secretary of State in regard to Legislative Journals and defining terms."

By Murray and McLeod: A Bill for an Act entitled: "An Act pertaining to the taxation of production and refining of copper and providing for the distribution of revenue."

By Judiciary Committee: A Bill for an Act entitled: "An Act to amend Sections 9367, 9369, 9370 and 9371, Revised Codes of Montana, 1935, relating to findings of fact and conclusions of Law and Entry of Judgment thereon, when reversals may be had for defective findings, exceptions thereto and proceedings thereon."

By Judiciary Committee: A Bill for an Act entitled: "An Act to amend Section 9389, Revised Codes of Montana, 1935, relating to Bills of Exception made at time of ruling and also Section 9390, Revised Codes

of Montana, 1935, relating to Bills of Exception made after judgment; providing when Bills of Exception need not be, and when Bills must be, prepared, contents, settlement and authentication thereof, and to transcripts on appeal."

By Judiciary Committee: A Bill for an Act entitled: "An Act to amend Section 9416, Revised Codes of Montana, 1935, relating to issuance of Executions on Judgments, and stay of the operation and effect thereof, and providing when the District or Supreme Court may preserve the subject matter of an action during the course thereof and on appeal, and clarifying the law relating thereto."

By Beck, Flynn and DeDobbeleer: A Bill for an Act entitled: "An Act to amend Section 2634.1 of the Revised Codes of Montana, 1935, relating to egg dealers' license fees; to amend Section 2634.5 of the Revised Codes of Montana, 1935, relating to a certificate of candling; to amend Section 2634.6 of the Revised Codes of Montana, 1935, defining eggs unfit for human consumption; to amend Section 2634.7 of the Revised Codes of Montana, 1935, relating to the importation of eggs; to amend Section 2634.8 of the Revised Codes of Montana, 1935, relating to notice to purchaser of grade of eggs; to amend Section 2634.9 of the Revised Codes of Montana, 1935, relating to content of invoice; to amend Section 2634.11 Revised Codes of Montana, 1935, relating to penalties; adding a new section to the Revised Codes of Montana, 1935, to be known as Section 2634.12, relating to the Montana State egg seal; adding a new section to the Revised Codes of Montana, 1935, to be known as Section 2634.13, relating to licensed egg graders; adding a new Section to the Revised Codes of Montana, 1935, to be known as Section 2634.14, relating to revocation of licenses; and repealing all Acts and parts of Acts in conflict herewith."

By Beck, Flynn and DeDobbeleer: A Bill for an Act entitled: "An Act providing for establishment by the State Department of Agriculture of State Grades and Standards for milk and cream obtained from producers for commercial use; regulating the purchase and handling of such milk and cream and requiring proper grading thereof; establishing state consumer grades for butter and requiring grading and labeling in accordance therewith of butter sold to consumers and retailers; regulating the sale of butter; providing for grade emblems; providing for licensed butter graders, the fees for their licenses and revocation of; providing for the enforcement hereof; defining 'person,' 'unlawful milk or cream,' 'butter distributor,' 'department,' 'milk and cream'; providing for enforcement and penalties; making an appropriation; declaring an emergency."

By Moss (Custer), by request: A Bill for an Act entitled: "An Act to regulate the practices of professional engineering and land surveying; creating a State Board of Registration for professional engineers and land surveyors; defining its powers and duties; imposing certain duties upon the State and political subdivisions thereof in connection with public work; and providing penalties."

It was moved by McLeod, duly seconded and carried, that the House adjourn until Sunday, February 5th, 1939, at 1:00 o'clock P. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

THIRTY-FIFTH DAY

House of Representatives,
Helena, Montana,
February 5, 1939.

House convened, pursuant to adjournment, at 1:00 o'clock P. M.
Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members were present except the following who were excused: Acher, Ekern, Friedl, Lehrkind, Lowe, and Moss of (Flathead).

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-fourth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Brown, duly seconded and carried, that consideration of House Bills Nos. 164 and 165 be passed for the day.

It was moved by Anderson of Cascade, duly seconded and carried, that consideration of House Bill No. 136 be passed for the day.

It was moved by D'Ewart, duly seconded and carried, that consideration of House Bill No. 80 be passed for the day.

It was moved by Duncan, duly seconded and carried, that consideration of House Bill No. 159 be passed for the day.

It was moved by Smith, duly seconded and carried, that House Bill No. 189, be taken from General Orders and re-referred to the Committee on Public Health and Sanitary Affairs.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees, all appropriation measures having been read at length:

House Bill No. 303: Introduced by Kirscher by request: A Bill for an Act entitled: "An Act providing for certain reports to be made by all holders of land in which the State of Montana has an equity, and repealing all Acts and parts of Acts in conflict therewith." Referred to Committee on State Lands.

House Bill No. 304: Introduced by D'Ewart: A Bill for an Act entitled: "An Act to amend Sections 3745, 3746, 3747, 3748, 3749 and 3750 of the Revised Codes of Montana, 1935." Referred to Committee on Judiciary.

House Bill No. 305: Introduced by Hess by request: A Bill for an Act entitled: "An Act to establish minimum wages for employees of Montana Liquor Control Warehouse; providing for the establishment of seniority roster to protect the rights of those employed by the Montana Liquor Control Warehouse; and, providing for the fair and impartial hearing of anyone about to be dismissed from employment from the warehouse of the Montana Liquor Control Board." Referred to Committee on State Boards and Offices.

House Bill No. 306: Introduced by Beck: A Bill for an Act entitled: "An Act providing for establishment by the State Department of Agriculture of State grades and standards for milk and cream obtained from producers for commercial use; regulating the purchase and handling of such milk and cream and requiring proper grading thereof; establishing State consumer grades for butter and requiring grading and labeling in accordance therewith of butter sold to consumers and retailers; regulating the sale of butter; providing for grade emblems; providing for licensed butter grades, the fees for their licenses and revocation of; providing for the enforcement hereof; defining 'person,' 'unlawful milk or cream,' 'butter distributor,' 'department,' 'milk and cream'; providing for enforcement and penalties; making an appropriation; declaring an emergency." Referred to Committee on Dairying.

House Bill No. 307: Introduced by Beck: A Bill for an Act entitled: "An Act to amend Section 2634.1 of the Revised Codes of Montana, 1935, relating to egg dealers' license fees; to amend Section 2634.5 of the Revised Codes of Montana, 1935, relating to a certificate of candling; to amend Section 2634.6 of the Revised Codes of Montana, 1935, defining eggs unfit for human consumption; to amend Section 2634.7 of the Revised Codes of Montana, 1935, relating to the importation of eggs; to amend Section 2634.8 of the Revised Codes of Montana, 1935, relating to notice to purchaser of grade of eggs; to amend Section 2634.9 of the Revised Codes of Montana, 1935, relating to content of invoice; to amend Section 2634.11 Revised Codes of Montana, 1935, relating to penalties; adding a new Section to the Revised Codes of Montana, 1935, to be known as Section 2634.12, relating to the Montana State egg seal; adding a new Section to the Revised Codes of Montana, 1935, to be known as Section 2634.13, relating to licensed egg graders; adding a new section to the Revised Codes of Montana, 1935, to be known as Section 2634.14, relating to revocation of licenses; and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Agriculture.

House Bill No. 308: Introduced by Padbury and Dunn: A Bill for an Act entitled: "An Act relating to the dairy industry, declaring the public policy of this State to promote the expansion of the dairy industry by promoting the increased use of dairy products by providing for research and publicity advertising and sales promotion campaign; to increase the consumption of Montana dairy products; levying an excise tax on dairy products and providing for its collection; providing for the powers, duties and authority of the Commissioner of Agriculture, Labor and Industry; providing penalties for the violation of this Act; providing for an appropriation; and providing that this Act shall take effect April 1st, 1939." Referred to Committee on Dairying.

House Bill No. 309: Introduced by Hammond, Cannon and Malee: A Bill for an Act entitled: "An Act to amend Section 3722 of the Revised Codes of Montana, 1935, relating to protection of beaver and beaver licenses and taking, and repealing all laws in conflict herewith." Referred to Committee on Fish and Game.

House Bill No. 310: Introduced by Long: A Bill for an Act entitled: "An Act to clarify existing laws and declare the policy of this state respecting the eligibility for the appointment of State officers or employees; and making a person who holds one office or position or employment for remuneration with the State of Montana, or any subdivision thereof or any municipality or the United States, ineligible for any other office or employment in this State." Referred to Committee on State Boards and Offices.

House Bill No. 311: Introduced by Cannon: A Bill for an Act entitled: "An Act relating to motor vehicle dealers' license tax, providing rates, computation of tax, reports and payment to County Treasurer, disposition of proceeds, and penalty for violation thereof." Referred to Committee on Highways.

House Bill No. 312: Introduced by Moss (Custer), by request: A Bill for an Act entitled: "An Act to regulate the practices of professional engineering and land surveying; creating a State Board of Registration for professional engineers and land surveyor's; defining its powers and duties; imposing certain duties upon the State and political subdivisions thereof in connection with public work; and providing penalties." Referred to Committee on Judiciary.

House Bill No. 313: Introduced by Beck, LeDobbeleer, Hess and Tyler: A Bill for an Act entitled: "An Act to appropriate money from the General Fund from the Treasury of the State of Montana for the use and benefit of the Montana State College located at Bozeman, Montana; providing for the erection and equipping of additional housing facilities on the campus; providing that the additional housing facilities shall be

operated by the students of the college on a cooperative plan; providing a name for the cooperative association and repealing Chapter 94 of the Laws of 1929, designated in the Revised Codes of Montana, 1935, as being Sections 836.1 to 836.6 inclusive." Referred to Committee on Appropriations.

House Bill No. 314. Introduced by Sorte and Armstrong: A Bill for an Act entitled: "An Act creating a Veterans' Memorial Fund Commission; providing for the appointment and compensation of Commissioners; defining duties of the Commission; providing for the Commission's control of the Veterans' Memorial Fund; providing for the construction and maintenance of a Veterans' Memorial Building." Referred to Committee on Military Affairs.

House Bill No. 315: Introduced by Siegling and Horrigan: A Bill for an Act entitled: "An Act providing for the licensing, regulation and control of games of chance and gambling with cards or other gambling devices; providing for a House Gambling license and for a Game or Table license, and granting to the Montana Liquor Control Board certain powers for the enforcement of this Act; making certain Acts illegal and providing penalties therefore; prohibiting minors from entering gambling houses, and providing penalties for a violation; fixing the amount of license fees to be paid for said license; providing for the disposal of the proceeds of licenses and fees collected by the board; permitting cities, towns and counties to levy a license tax in addition to the State license herein provided; declaring an emergency to exist, and providing for local option by cities, towns or counties permitting thirty-five percent, (35%) of the qualified electors by petition to require an election and by a majority vote at such election to suspend and prohibit games of chance in such city, town or county; and repealing acts in conflict herewith. Referred to Committee on Revenue and Taxation.

House Bill No. 316: Introduced by Smith and Morrison: A Bill for an Act entitled: "An Act defining and regulating the practice of professional engineering in the State of Montana; providing for the creation of the State Board of Registration for professional engineers and prescribing their powers and duties, terms of office, qualifications and for payment of their compensation and expenses out of the "professional engineering fund" as provided in this law; providing for removal of members of the board for cause; providing for creation of "professional engineers fund" and appropriating money therefrom; prescribing requirements for registration of professional engineers; providing for registration fees and for examinations of applicants for certificate of registration and for issuance and use of certificates and seals; providing for issuance of renewal certificates on payment of renewal fees; providing that a firm, co-partnership, corporation or joint stock association may engage in the practice of professional engineering in this state provided such practice is carried on by only professional engineers registered in this state; providing for issuance, within one year after this Act becomes effective, of certificates, on certain conditions, to residents of Montana practicing professional engineering in Montana at the time this Act becomes effective; providing that after May 1, 1939, it shall be unlawful for this State, or any of its political subdivisions, or any county, city or town to engage in the construction of public work involving professional engineering, unless plans, specifications and estimates have been prepared for the construction to be executed under direct supervision of a registered professional engineer, provided that such provision shall not apply to any public work wherein the contemplated expenditure for a completed project does not exceed Three Thousand Dollars (\$3,000.00); providing for certain exemptions; prescribing certain reciprocity provisions for professional engineers holding certificates of registration as such issued under authority of National Council of State Boards of Engineering Examiners, or National Bureau of Engineering registration, or any state or territory or possession of the United States, or any country, under certain conditions; providing the grounds on which the board may revoke certificates

of registration and for hearings on such charges; providing for suit against the board in certain district courts to annul or vacate order of the board revoking certificates of registration; defining as a misdemeanor certain acts committed after the first day of May, 1939, prescribing the penalties for such violations and that each day of such violation shall be a separate offense; prescribing duties of the board in connection with enforcement of provisions of this Act and duties of an Attorney General and his assistants as legal advisors of the board, declaring certain Legislative intent in respect to this Act; repealing conflicting laws, provided, however, that this Act shall not be construed as repealing or amending any law affecting or regulating licensed State Land Surveyors and that licensed Land Surveyors in performing their duties as such shall not be subject to the provisions of this Act; and further providing that this Act shall not be construed to affect or prevent the practice of any other legally recognized profession by members of such profession licensed by the State and declaring an emergency." Referred to Committee on Judiciary.

House Bill No. 317: Introduced by Beck and DeDobbeleer: A Bill for an Act entitled: "An Act providing for the stabilization of prices on dairy products, poultry products, fruits and vegetables; setting up standards of fair competition in such products; providing for the duties of the Commissioner of Agriculture, Labor and Industry under this Act; and providing penalties for violation of the Act." Referred to Committee on Dairying.

House Bill No. 318: Introduced by Sullivan: A Bill for an Act entitled: "An Act to amend Section 5110 of the Revised Codes of Montana, 1935, relating to Fire Departments and Compensation of members thereof, by including in the membership thereof a city machinist and assistant city machinists, and repealing all Acts in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 319: Introduced by Malee et al: A Bill for an Act entitled: "An Act to appropriate money from the State General Fund for the State Highway Commission to pay for advertising of national scope and character in newspapers, magazines and in pamphlet form describing recreational and vacational advantages of Montana." Referred to Committee on Appropriations.

House Bill No. 320: Introduced by Hammond, Melin, Martin and Hoiness: A Bill for an Act entitled: "An Act relating to libraries and providing for the creation of joint county or regional libraries, the manner of their creation, the method by which funds shall be handled, providing for a Board of Trustees, the manner in which expenditures may be made; and providing that the counties shall levy a tax for the support of said library." Referred to Committee on Education.

House Bill No. 321: Introduced by Martin: A Bill for an Act entitled: "An Act to establish minimum hours of labor for registered nurses; conforming to the Constitutional Amendment, amending Section Four (4) of Article 18 of the Constitution of the State of Montana; fixing who shall be held responsible for the compliance of this Act; providing penalty for the violation of this Act; and, repealing all Acts and parts of Acts not consistent herewith." Referred to Committee on Labor.

House Bill No. 322: Introduced by Malee et al: A Bill for an Act entitled: "An Act to appropriate money for the Department of Agriculture, Labor and Industry, division of labor and publicity, for the use of the Montana Commission for the Golden Gate International Exposition, in staffing, maintaining and advertising a Montana exhibit at the Golden Gate International Exposition." Referred to Committee on Appropriations.

House Bill No. 323: Introduced by Murray, by request: A Bill for an Act entitled: "An Act to amend Section 1783 of the Revised Codes of Montana of 1935, relating to the State Highway Commission—creation—salary

—bond—term of office.” Referred to Committee on Highways and Highway Transportation.

House Bill No. 324: Introduced by Williams: A Bill for an Act entitled: “An Act licensing persons engaged in pruning trees and shrubbery and engaged in tree surgery; establishing an examining board and defining its powers and duties; fixing fee for licenses; declaring violations of this Act to be a misdemeanor and fixing punishment therefor; and providing for the uses of fees collected hereunder.” Referred to Committee on Horticulture.

House Bill No. 325: Introduced by Committee on State Boards and Offices: A Bill for an Act entitled: “An Act to authorize the Department of Agriculture, Labor and Industry, through the division of Labor and Publicity to assist and co-operate in the enforcement of the Fair Labor Standards Act of 1938, and providing for reimbursement by Federal Agencies for the cost of such assistance and cooperation.” Referred to Committee on State Boards and Offices.

House Bill No. 326: Introduced by Committee on Education: A Bill for an Act entitled: “An Act to repeal Chapter Number 96 relating to rural school districts.” Referred to Committee on Education.

House Bill No. 327: Introduced by Aronson, by request: A Bill for an Act entitled: “An Act concerning Gambling Games and Gambling Devices; providing for the operation thereof under duly issued licenses by the Montana Liquor Control Board; providing for certain license fees and the distribution of the money obtained therefrom; prohibiting persons under the age of twenty-one years from playing at or loitering about any such games or from entering or being permitted to enter any house, room, or premises wherein any gambling games or gambling devices are operated or conducted; providing penalties for the violation of the provisions of this Act and repealing all Acts or parts of Acts in conflict herewith.” Referred to Committee on Revenue and Taxation.

House Bill No. 328: Introduced by Williams: A Bill for an Act entitled: “An Act licensing public sprayers, fixing the fee therefor, prescribing the powers and duties of the Division of Horticulture, fixing the punishment for violations of this Act and providing for uses of the fee.” Referred to Committee on Horticulture.

House Bill No. 329: Introduced by Duncan: A Bill for an Act entitled: “An Act providing that persons eligible for jury duty in the State of Montana shall pay road taxes and poll taxes in counties and cities or towns of the State of Montana.” Referred to Committee on Judiciary.

House Bill No. 330: Introduced by Bjerneby: A Bill for an Act entitled: “An Act to amend Section 8899 of the Revised Codes of Montana 1935, relating to the duty of the Clerk of the Court in preparing the jury box; amending Section 8904 of the Revised Codes of Montana 1935, as amended by Chapter 151 of the Laws of 1937, and Sections 8906, 8907, Revised Codes of Montana, 1935, relating to the drawing of jurors.” Referred to Committee on Judiciary.

House Bill No. 331: Introduced by Hammond, Melin, Martin and Hoiness: A Bill for an Act entitled: “An Act to appropriate money for the use of the Montana State Library Extension Commission for the administration of said commission, including incidental expenses and a fund to be used in aiding libraries in the State of Montana.” Referred to Committee on Appropriations.

House Bill No. 332: Introduced by Gebhardt and Hoiness: A Bill for an Act entitled: “An Act relating to the certification of librarians in the State of Montana and providing that the Library Extension Commission, the Secretary of the Commission, and a librarian appointed by the Governor shall have authority to grant certificates to Librarians after examination, and providing the fee to be charged applicants for a certificate and

the deposit of such fees with the State Treasurer." Referred to Committee on Education.

House Bill No. 333: Introduced by Sorte: A Bill for an Act entitled: "An Act to appropriate money for the payment of certain claims for refund of taxes erroneously paid into the State Treasury." Referred to Committee on Appropriations.

House Bill No. 334: Introduced by Anderson (Phillips), by request: A Bill for an Act entitled: "An Act relating to certain city electricians in cities of the first and second classes; providing for their employment, term of office and trials for misconduct and malfeasance in office, and repealing all Acts and parts of Acts in conflict therewith." Referred to Committee on Affairs of Cities.

House Bill No. 335: Introduced by Cole (Petroleum), by request: A Bill for an Act entitled: "An Act to amend Section 9429 of the Revised Codes of Montana, 1935, relating to the exemption of earnings of a judgment debtor for debts incurred for necessities." Referred to Committee on Judiciary.

House Bill No. 336: Introduced by Listug: A Bill for an Act entitled: "An Act to amend Section 4175 of the Revised Codes of Montana, 1935, defining wage brokers and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 337: Introduced by Malee: A Bill for an Act entitled: "An Act to amend Section 2396.3 of the Revised Codes of Montana of 1935, as amended by Chapter 102 of the Session Laws, Twenty-fifth Legislative Assembly of Montana, providing for the determination and use of and distribution of the State Highway Fund for construction purposes." Referred to Committee on Highways.

House Bill No. 338: Introduced by Smith: A Bill for an Act entitled: "An Act authorizing cities and towns to transfer funds and make adjustments between funds to remove inactive accounts from the city records, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 339: Introduced by McKenna: A Bill for an Act entitled: "An Act relating to the appointment of an Assistant Adjutant General of the State of Montana; providing for his qualifications, and relating to the duties of such office." Referred to Committee on State Boards and Offices.

House Bill No. 340: Introduced by Smith, Hoiness, Stafford and Brown, by request: A Bill for an Act entitled: "An Act to provide for the appointment of a temporary commission for the study of proposed uniform State laws, defining its duties and making an appropriation therefor." Referred to Committee on State Boards.

House Bill No. 341: Introduced by Goodwin: A Bill for an Act entitled: "An Act to amend Section 1741.11, Revised Codes of Montana, 1935, as amended by Chapter 182, the Laws of the Twenty-fifth Legislative Assembly." Referred to Committee on Judiciary.

House Bill No. 342: Introduced by Hess, Melen, Martin, DeDobbeleer and McGee: A Bill for an Act entitled: "An Act relating to and regulating the sale of oleomargarine; defining oleomargarine and a retailer and a wholesaler thereof; providing for and fixing the amount of license to sell or exchange oleomargarine and for the revocation thereof; providing for quarterly report to the Department of Agriculture, Labor and Industry by persons handling oleomargarine; levying a tax per pound on oleomargarine handled, and providing for stamps and the manner of collecting such tax; providing for bond to be furnished by wholesaler; providing for the redemption of unused stamps; designating the disposition of funds;

fixing a penalty; providing for the enforcement of this Act and repealing all Acts in conflict." Referred to Committee on Dairying.

House Bill No. 343: Introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act requiring every person, firm, co-partnership, association, joint stock company, syndicate and corporation engaging in or carrying on the business of producing natural gas within this State, or engaged in or carrying on the business of owning, controlling, managing, leasing or operating within this State, any system or plant for the production of natural gas within this State, shall pay to the State Treasurer for engaging in or carrying on such business certain license fees for the exclusive use and benefit of the State of Montana; fixing the amount of such license fees; prescribing a method for the assessment and collection thereof; and prescribing a lien on the property of such operators to ensure payment of the tax." Referred to Committee on Revenue and Taxation.

House Bill No. 344: Introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Section 2239 of the Revised Codes of Montana, 1935, relating to the duty of County Treasurers with respect to the collection of taxes on personal property not secured by a lien on real property." Referred to Committee on Revenue and Taxation.

House Bill No. 345: Introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to authorize the State Board of Equalization of the State of Montana to make request of the United States for the payment of sums in lieu of taxes: To authorize the State Board of Equalization to consummate agreements with the United States for the performance of services by the State for the benefit of projects, as defined herein, and for the payment by the United States of sums in lieu of taxes; and to provide for the deposit of payments of sums in lieu of taxes." Referred to Committee on Revenue and Taxation.

House Bill No. 346: Introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to authorize the Board of County Commissioners of any county in this State to make request of the United States for the payment of sums in lieu of taxes; to authorize the said board to consummate agreements with the United States for the performance of services by the county and the political subdivisions of the State therein for the benefit of a project, as defined herein, and for the payment of sums in lieu of taxes by the United States; to provide for the notification to such subdivisions of the consummation of such agreements; to provide for the deposit and distribution of payments of sums in lieu of taxes; to authorize certain political subdivisions to make request of the United States for the payment of sums in lieu of taxes and to enter into agreements with the United States, in their own names, for the performance of services for the benefit of a project, as defined herein, and for the payment of sums in lieu of taxes by the United States; and to provide for the establishment of the 'Government Project Fund'." Referred to Committee on Revenue and Taxation.

House Bill No. 347: Introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act to amend Section 2091.1 of the Revised Codes of Montana, 1935, relating to taxation and payment on royalty interests on the production of petroleum and natural gas, and production from metalliferous mines, and providing the method of assessment of each class of royalty interests." Referred to Committee on Revenue and Taxation.

House Bill No. 348: Introduced by Parker (Flathead) and Armstrong: A Bill for an Act entitled: "An Act to provide for the disposition of estates of deceased persons, or portions thereof, passing by succession, or testamentary disposition, to citizens of foreign countries, whose laws would not permit the free disposition of like estates, or portions thereof, under like

circumstances, to a citizen or citizens of the United States." Referred to Committee on Judiciary.

House Bill No. 349: Introduced by Metlen: A Bill for an Act entitled: "An Act authorizing and directing the State Board of Examiners of the State of Montana to purchase additional lands for campus purposes at the Normal College at Dillon, Montana, and appropriating money for the payment of the price of said land." Referred to Committee on Appropriations.

House Bill No. 350: Introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act requiring licenses for the operation, maintenance, opening or establishment of stores in this State, the classifying of such stores, prescribing the license and filing fees to be paid therefor and the disposition thereof, and the powers and duties of the State Board of Equalization in connection therewith; and prescribing penalties for the violation thereof and repealing Sections 2420.1, 2420.2, 2420.3, 2420.4, 2420.5, 2420.6 2420.7, 2420.8, 2420.9, 2420.10, 2420.11 Revised Codes of Montana, 1935." Referred to Committee on Revenue and Taxation.

House Bill No. 351: Introduced by Malee: A Bill for an Act entitled: "An Act to amend Sections 3685 and 3685.3, Revised Codes of Montana, 1935, relating to the classes of licenses for hunting and taking game and fish and fur-bearing animals within the State of Montana; the fees and powers under such licenses; and repealing all Acts and parts of Acts in conflict therewith." Referred to Committee on Fish and Game.

House Bill No. 352: Introduced by Moss (Custer): A Bill for an Act entitled: "An Act providing for the registration of motor vehicles hauling merchandise or property on the public roads and highways of the State of Montana; defining hauling merchandise or property for purposes of this Act; providing such motor vehicles be equipped with milemeters; providing the weighing of motor vehicles and checking milemeters by the State Highway Commission of Montana; providing for reports to be filed on a mile basis; and payment of fees thereon; providing for the disposition of fees; providing for checking stations and other facilities necessary for the enforcement of this Act; fixing duties of the State Highway Commission and authority of checkers; providing exemptions hereto; providing penalties for violation of the provisions of this Act." Referred to Committee on Highways.

House Bill No. 353: Introduced by Freshman: A Bill for an Act entitled: "An Act relating to the licensing of slot machines; defining slot machines; providing the manner of licensing; allowing cities, towns and counties to license slot machines in addition to a State License; and for the disposition of fees; prohibiting the operation of slot machines without a license; prohibiting allowing minors to play such machines; providing penalties for the violation of this Act; declaring an emergency to exist; repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Bill No. 354: Introduced by Kellogg: A Bill for an Act entitled: "An Act relating to licensing and bonding of persons, firms, co-partnerships, corporations and associations contracting for purchase of mustard seed prior to harvesting same, defining the powers and duties of the Commissioner of Agriculture, designating the disposition of fees, and providing penalties for violations thereof." Referred to Committee on Revenue and Taxation.

House Bill No. 355: Introduced by Long: A Bill for an Act entitled: "An Act providing for a license to be paid by all persons, firms and corporations engaged in the business of banking in this state or who may hereafter be engaged in such business; fixing the amount of such license; specifying the manner of collection thereof, disposition of funds, and a penalty for a violation of this Act." Referred to Committee on Banks and Banking.

House Bill No. 356: Introduced by Committee on Revenue and Taxation: A Bill for an Act entitled: "An Act authorizing the issuance of bonds of the State of Montana to refund capitol building bonds of said State and held by the State Board of Land Commissioners, and providing for the payment thereof." Referred to Committee on Revenue and Taxation.

House Bill No. 357: Introduced by Hess and James: A Bill for an Act entitled: "An Act relating to life, health and accident insurance companies who issue group insurance policies and certificates; and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Insurance.

House Bill No. 358: Introduced by Lippard: A Bill for an Act entitled: "An Act providing for the qualifications of the Adjutant General of Montana." Referred to Committee on State Boards.

House Bill No. 359: Introduced by Antrim by request: A Bill for an Act entitled: "An Act to amend Section 3691 of the Revised Codes of Montana, 1935, relating to animals which may be hunted without license, and persons not required to have a license." Referred to Committee on Fish and Game.

House Bill No. 360: Introduced by Malee: A Bill for an Act entitled: "An Act to amend Sections 3650, 3651, 3652 and 3675 of the Revised Codes of Montana, 1935, providing the creation of a Fish and Game Commission for the State of Montana; fixing the number of Commissioners thereof; dividing the State into Commissioner Districts and fixing boundaries and areas thereof; providing for the appointment of commissioners; prescribing their qualifications; providing for the organization and operation of said commission; providing for legal advice and prosecution of actions for the violation of the Fish and Game Laws and the payment of costs thereof; and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Fish and Game.

House Bill No. 361: Introduced by Cannon and Malee: A Bill for an Act entitled: "An Act relating to the sale and possession of salmon or other fish eggs, salmon or other fish spawn, imitations thereof, substances prepared therefrom, and permitting the use thereof." Referred to Committee on Fish and Game.

House Bill No. 362: Introduced by Lippard, Woods and Reed: A Bill for an Act entitled: "An Act to amend Sections 4525 and 4526, Revised Codes of Montana, 1935, relating to contracts for care of poor, sick, and infirm, and Section 4527 Revised Codes of Montana, 1935, relating to contracts for medicines and medical attendance, and duties of physicians and surgeons thereunder, to harmonize said sections as amended and to repeal Section 4529, Revised Codes of Montana, 1935, and to establish under the authority and direction of the several boards of County Commissioners in the State a plan for adequate medical, surgical and hospital service in each county within the amounts lawfully budgeted therefor and to insure as far as possible free choice of physicians and surgeons within the limitations of the Act, and prescribing the conditions for all of said matters, and the duties of physicians and surgeons in the several counties of the State with reference to the county poor and those entitled to medical and surgical service at the county expense, and prescribing the duties of the State Board of Health in connection herewith." Referred to Committee on Public Health.

House Bill No. 363: Introduced by Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money for the operation, maintenance and other purposes, as designated herein, for all State Departments, Boards, Bureaus, Commissions and Institutions, for the period beginning July 1, 1939, and ending June 30, 1941." Referred to Committee on Appropriations.

House Bill No. 364: Introduced by Antrim by request: A Bill for an Act entitled: "An Act providing for the levy of taxes for the support

of Common schools amending Section 1202 to provide a common school levy of not to exceed twelve mills per dollar, on the taxable property within the county; and amending Section 1203 relating to a Special School Tax to provide a tax levy of not to exceed six mills, on the taxable property of the school district; and amending Sections 1219 and 1222 to conform; and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Bill No. 365: Introduced by McGee: A Bill for an Act entitled: "An Act creating a State Commission for the study of occupational diseases to be known as 'the State Commission for the study of occupational diseases'; providing for the appointment of members of said commission and prescribing their powers and duties; providing the compensation and expenses of members of said commission, their term and tenure of office; providing for the effective date of this Act, creating a fund and making an appropriation therefor and repealing all Acts in conflict herewith." Referred to Committee on Workmens' Compensation.

House Bill No. 366: Introduced by Bower: A Bill for an Act entitled: "An Act to amend Section 3776.7, Revised Codes of Montana, 1935, relating to the establishment and description of Little Saint Joe Game Preserve." Referred to Committee on Fish and Game.

House Bill No. 367: Introduced by McGee: A Bill for an Act entitled: "An Act to amend Section 2620.16, Revised Codes of Montana, 1935, relating to the licensing of creameries, butter factories, cheese factories and ice cream factories; providing the fees that shall be paid for such licenses, and providing that such creameries, butter factories, cheese factories and ice cream factories shall furnish a surety bond to secure payment for all milk, cream or other dairy products purchased." Referred to Committee on Judiciary.

House Bill No. 368: Introduced by Laubach: A Bill for an Act entitled: "An Act providing for the appointment and removal of a Game Manager by the State Fish and Game Commission, and prescribing his qualifications; providing for his oath and bond; providing for his salary; prescribing his powers and duties; providing for the employment of assistants and employees of the Game Manager; and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Fish and Game.

House Bill No. 369: Introduced by Smith and Watson: A Bill for an Act entitled: "An Act to amend Section 556, Revised Codes of Montana, 1935, relating to the registration of electors who are infirm or residing more than ten (10) miles distance from the office of the County Clerk; and providing for the registration of persons who are temporarily absent from the State." Referred to Committee on Privileges and Elections.

House Bill No. 370: Introduced by Bjerneby: A Bill for an Act entitled: "An Act providing that there shall be an implied warranty on household electrically driven appliances by the seller of used articles." Referred to Committee on Public Safety.

House Bill No. 371: Introduced by Collins by request: A Bill for an Act entitled: "An Act to amend Sections 4 and 28 of Chapter 84 of the Session Laws of the Twenty-fifth Legislative Assembly, 1937, relating to licensing the sale of liquor at retail in the State of Montana; the fees to be paid by the retailer thereof and providing for the licensing of liquor retailers by city and town councils and boards of county commissioners, and fixing the fees of such licensing; providing for distribution of county license fees collected; and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Bill No. 372: Introduced by Goodwin and Hoiness: A Bill for an Act entitled: "An Act to amend Chapter 82 of the Laws of the Twenty-fifth Legislative Session of 1937, relating to public welfare, by adding thereto a new part to be known as Part IX relating to payments to per-

sons who have silicosis, as herein defined; providing eligibility requirements; providing medical examinations and procedure for determining who are entitled to such payments and providing administration by State Department of Public Welfare and the County Departments of Public Welfare, and prescribing their powers and duties." Referred to Committee on Social Security.

House Bill No. 373: Introduced by Judiciary Committee: A Bill for an Act entitled: "An Act to amend Sections 9399 and 9400, Revised Codes of Montana, 1935, relating to motion for new trial, abolishing notices of intention of motion for new trial, and regulating proceedings on motion, hearings and record thereon." Referred to Committee on Judiciary.

House Bill No. 374: Introduced by McKenna, Hoiness, O'Connor, Sorte and DeDobbeleer: A Bill for an Act entitled: "An Act relating to transferring money or personal property not to exceed in value the sum of Two Hundred Fifty Dollars, to a minor by delivery to the parent of said minor, and effect thereof." Referred to Committee on Judiciary.

House Bill No. 375: Introduced by Employment Committee: A Bill for an Act entitled: "An Act providing the manner in which employees of the House of Representatives shall be selected." Referred to Committee on Employment.

Unanimous consent of the House was given on motion of McLeod to have all bills on second reading read by number only.

House Bill No. 376: Introduced by Goodwin: A Bill for an Act entitled: "An Act relating to the closed and open season for the killing and taking of elk in Lincoln County, State of Montana, providing for the powers and duties of the Montana State Fish and Game Commission relative to the conditions of this Act, making violation of this Act a misdemeanor, providing a penalty for such violation." Referred to Committee on Fish and Game.

House Bill No. 377: Introduced by Committee on Education: A Bill for an Act entitled: "An Act providing uniform transportation services for all public school pupils residing three or more miles from an open public school; defining 'transportation' for the purpose of this Act so as to include services furnished in lieu of transportation; providing that school boards may operate busses and contract for 'transportation' of pupils; providing that school boards may close schools and transport pupils to another school and providing that school boards shall pay for its pupils attending school in another district; providing that no school money shall be expended for 'transportation' except to persons or firms holding legal contracts for the same; providing requirements as to busses, drives and the operation of busses; fixing a schedule for individual 'transportation'; providing basis on which any child attending other than a public school may ride on a public school bus; designating who is eligible to receive 'transportation' from school districts; providing for the measurement of transportation distances in dispute and the settlement of transportation matters in controversy; providing for state reimbursement for transportation; providing a supplementary levy for transportation; and repealing Section 1010 of the Revised Codes of Montana of 1935." Referred to Committee on Education.

House Bill No. 378: Introduced by Berthot: A Bill for an Act entitled: "An Act creating a State Commission of State Government reorganization; providing for the appointment of its members, the powers and duties of the commission, the cooperation of all State Officers and Employees, public hearings and a report to the Legislative Assembly in January, 1941; and further providing for an appropriation of One Thousand Dollars to cover the expenses of the Commission and report." Referred to Committee on Appropriations.

House Bill No. 379: Introduced by Smith: A Bill for an Act entitled: "An Act to amend Section 8868 of the Revised Codes of the State of Montana of 1935, relating to cases in which a Judge may be disqualified,

providing for the calling in of another Judge, and providing for the time in which to file affidavits of disqualification." Referred to Committee on Judiciary.

House Bill No. 380: Introduced by Smith and O'Connor: A Bill for an Act entitled: "An Act requiring licenses for the operation, maintenance, opening or establishment of stores in this state, the classifying of such stores, prescribing the license and filing fees to be paid therefor and the disposition thereof, and the powers and duties of the State Board of Equalization in connection therewith; and prescribing penalties for the violation thereof and repealing Sections 2420.1, 2420.2, 2420.3, 2420.4, 2420.5, 2420.6, 2420.7, 2420.8, 2420.9, 2420.10, 2420.11, Revised Codes of Montana, 1935, and Chapter 199 of the Laws of 1937." Referred to Committee on Revenue and Taxation.

House Bill No. 381: Introduced by Committee on State Lands: A Bill for an Act entitled: "An Act to amend Section 1805.79, Revised Codes of Montana, 1935, relating to the terms of payment upon a purchase of State land; and providing that a purchase of State Land shall make a payment on the day of sale." Referred to Committee on State Lands.

House Bill No. 382: Introduced by DeDobbeleer, Tyler, Petersen, McKenna, Hess and Beck: A Bill for an Act entitled: "An Act defining 'itinerant merchant' and 'established place of business'; providing who are exempt from the provisions hereof; requiring a license and fixing the amount thereof and prescribing the conditions under which the same shall be issued; providing for a bond, defining the conditions thereof; stating when and how a license may be revoked; defining the powers and duties of the Commissioner of Agriculture, peace officers and employees of the Department of Agriculture; designating the disposition of funds; stating this Act shall not affect or repeal certain existing laws; declaring the intent of the Legislature; fixing a penalty for violations and designating the effective date." Referred to the Committee on Agriculture.

House Bill No. 383: Introduced by DeDobbeleer, Tyler, Petersen, Beck and Moss (Custer): A Bill for an Act entitled: "An Act to amend Section 2000 of the Revised Codes of Montana, 1935, relating to the percentage of the true and full value of each class of taxable property in this State, which shall be taken and used as the basis for the imposition of the taxes thereon." Referred to the Committee on Revenue and Taxation.

House Bill No. 384: Introduced by Spiegel, Ryan, Smith by request: A Bill for an Act entitled: "An Act to amend Section 4468 of the Revised Codes of Montana, 1935, relating to the organization of new townships and providing that a petition be presented to organize a new township, or in certain townships to change the boundaries thereof." Referred to Committee on Townships and Counties.

House Bill No. 385: Introduced by Sorte: A Bill for an Act entitled: "An Act to transfer moneys from the State Public School General Fund to the State Common School Equalization Fund in accordance with the recommendation of the State Board of Education." Referred to Committee on Education.

House Bill No. 386: Introduced by Stewart by request: A Bill for an Act entitled: "An Act to amend Section 2122.9, Revised Codes of Montana, 1935, relating to appeals to the State Board of Equalization; and providing for appeals to the State Board of Equalization, and an additional remedy by appeal to the District Court." Referred to the Committee on Judiciary.

House Bill No. 387: Introduced by Morrison and Armstrong: A Bill for an Act entitled: "An Act relating to jurisdiction over boxing, sparring and wrestling matches—licenses—application for licenses and amending Section 4554 of the Revised Codes of Montana, 1935; relating to duration of bouts—glove specifications—rules and regulations of wrestling matches

—physical examination of participants, and amending Section 4556 of the Revised Codes of Montana, 1935; relating to forfeiture of license for conducting fake bouts, and amending Section 4557 of the Revised Codes of Montana, 1935, relating to penalty for participating in fake bouts, and amending Section 4558 of the Revised Codes of Montana, 1935; relating to report of ticket sales—tax and gross receipts—moneys paid in Veterans' Memorial Fund—expenditures—investment, and amending Section 4559 of the Revised Codes of Montana, 1935; relating to bond of applicant for license, and amending Section 4560 of the Revised Codes of Montana, 1935, and repealing Section 11,296 of the Revised Codes of Montana, 1935." Referred to Committee on Judiciary.

House Bill No. 388: Introduced by Flynn: A Bill for an Act entitled: "An Act relating to the deedding, mortgaging, transferring and conveying of real estate, and providing who must join in the same." Referred to Committee on Judiciary.

House Bill No. 389: Introduced by Lambert and Flynn: A Bill for an Act entitled: "An Act to amend Section 2650.1 of Chapter 242 of the Revised Codes of Montana, 1935, to empower the State Board of Health to prescribe rules and regulations for the drilling of water wells for general human use, and recording of data pertaining thereto, registration of drillers and applications for drilling." Referred to Committee on Public Health and Sanitary Affairs.

House Bill No. 390: Introduced by Hoiness: A Bill for an Act entitled: "An Act to amend Section 1190 of the Revised Codes of Montana, 1935, relating to contracts for supplying textbooks." Referred to Committee on Education.

House Bill No. 391: Introduced by Long, D'Ewart and Ryan: A Bill for an Act entitled: "An Act relating to the primary election laws of the State of Montana; providing manner of filing petitions for nominations; form of petitions; percentage of electors required on petitions; qualification of petitioners; amending Sections 640 and 641, Revised Codes of Montana, 1935, and repealing all Acts and parts of Acts in conflict therewith." Referred to Committee on Privileges and Elections.

House Bill No. 392: Introduced by McLeod and Murray: A Bill for an Act entitled: "An Act to amend Section 11,171, Revised Codes of Montana, 1935, relating to officers neglecting duty in enforcing gambling laws, and penalty therefor." Referred to Committee on Judiciary.

House Bill No. 393: Introduced by McClain, Goodwin, Hoiness, Lambert, Lehrkind and Metlen: A Bill for an Act entitled: "An Act to amend Sections 1, 4 and 5, Chapter 87 of the Laws of the Twenty-fifth Legislative Assembly of the State of Montana, entitled: 'An Act establishing a retirement system to provide for the retirement upon retirement allowances of public school teachers in the State of Montana; establishing a retirement board for the administration of such system; and fixing the powers and duties thereof; fixing the membership in the retirement system and providing retirement allowances thereunder; establishing certain funds for the administration of said system and providing for the securing of the moneys; income, and revenue for the maintenance of such funds, and providing for the appropriation of such funds as are necessary; and providing for the discontinuing of the retirement system established by Sections 1113 to 1132, inclusive, of the Revised Codes of Montana,' so that teachers in the University of Montana shall be included in the membership in the Teacher's Retirement System of the State of Montana." Referred to Committee on Education.

House Bill No. 394: Introduced by Spiegel: A Bill for an Act entitled: "An Act prescribing the duties of the Secretary of State, the President of the Senate, and the Speaker of the House of Representatives in regard to Legislative Journals, and defining terms." Referred to Committee on State Boards and Offices.

House Joint Memorial No. 17: Introduced by Rice: "A Resolution Memorializing the Congress of the United States; requesting legislation amending the Social Security Act to include sufferers from occupational diseases and to match State appropriations by Federal Aid." Referred to Committee on Federal Relations.

House Joint Resolution No. 5: Introduced by Committee on Development and Publicity: "A House Joint Resolution accepting the designation of July 19, 1939, as 'Montana Day' in the calendar of special events of the New York World's Fair of 1939, providing for proper observance thereof, prescribing the duties of the 1939 anniversary commission in connection therewith, and urging the participation of certain organizations and of the citizens of the State of Montana therein." Referred to Committee on Development and Publicity.

MESSAGES FROM THE GOVERNOR

Mr. Speaker: In compliance with your request to return House Bill No. 26, I am herewith returning said bill together with two copies thereof, received from your enrolling committee, February 4th.

Respectfully,

ROY E. AYERS,
Governor of Montana.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bill No. 87, beg leave to recommend that the same be considered correctly engrossed.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 190.

RICE, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs having had under consideration House Bill No. 101, respectfully report as follows: That House Bill No. 101 be amended as follows:

Add to Section 14, Paragraph (d) "provided, however, that any such product classed as an "exempt narcotic" under the Harrison Narcotic Act shall not be subject to the above labeling requirement." Add to Section 27, "provided that such evidence shall be based upon and be as complete as analyses established for use or regularly made on such products by the Federal Food and Drug Administration under the Federal Food Drug and Cosmetic Act." Add to Section 23, Paragraph (a), "provided further that the registration provisions of this Act shall not apply to those products for which standards of purity are established in the United States Pharmacopoeia, Homeopathic Pharmacopoeia, National Formulary or any supplement or revision thereof when such products are compounded or packed by persons duly authorized by law to handle such products." And as amended do pass.

GOODWIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs having had under consideration House Bill No. 179, respectfully report as follows: That House Bill No. 179 do pass.

GOODWIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs having had under consideration House Bill No. 135, respectfully report as follows: That House Bill No. 135 be amended as follows:

Add to Section 1. Subdivision 10 "provided, that nothing in this section shall apply to the prescriptions of qualified optometrists or oculists when sent to a recognized optical house." And as amended do pass.

GOODWIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs having had under consideration House Bill No. 222, respectfully report as follows: That House Bill No. 222 be referred to the Committee on Public Safety.

GOODWIN, Chairman.

Report adopted.

THIRD READING

The following, having been read three several times, title and history agreed to, were disposed of as follows:

Senate Bill No. 12 was concurred in by the following vote:

Ayes: Anderson (Phillips), Beadle, Berthot, Bjorneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dunn, Emswiler, Findlater, Flynn, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Lambert, Leuthold, Liggett, Listug, Lippard, Long, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McLeod, Melin, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Sullivan, Tyler, Watson, Wenger, Wilson, Woods, Zuck, Rice, Mr. Speaker. Total 68.

Noes: Byrne, D'Ewart, Duncan and O'Connor. Total 4.

Absent: Acher, Acton, Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beck, Cannon, Dougherty, Ekern, Freshman, Friedl, Gebhardt, Kirscher, Laubach, Lehrkind, Longenecker, Lowe, McKenna, Metlen, Miles, Moss (Flathead), Potter, Roehl, Stewart, Stromnes, Vanderbeck, Williams. Total 30.

Senate Joint Memorial No. 2, was concurred in by the following vote:

Ayes: Anderson (Cascade), Baker, Balgord, Beadle, Beck, Bjorneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dunn, Emswiler, Findlater, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, James, Kellogg, Kirscher, Lambert, Leuthold, Liggett, Lippard, Listug, Long, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Reed, Rice, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stevens, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Mr. Speaker. Total 70.

Noes: Anderson (Phillips), Berthot, Byrne, Dougherty, Duncan, Horrigan, Metlen. Total 7.

Absent: Acher, Acton, Antrim, Armstrong, Aronson, Ekern, Flynn, Freshman, Friedl, Hess, Laubach, Lehrkind, Longenecker, Lowe, Morrison, Moss (Flathead), Parker (Flathead), Potter, Roehl, Stewart, Stromnes, Vanderbeck, Woods, Zuck. Total 24.

Passed: Stafford. Total 1.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole, for consideration of General Orders, under the rules of the previous sitting.

Leuthold in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 207 do pass.

That House Bill No. 210 do pass.

That House Bill No. 197 do pass.

That House Bill No. 186 do pass.

That House Bill No. 176 be amended as follows: Amend Section 1, Line 58 of the printed bill by striking the period after the word "surveyor" and adding the words "when the distance is in dispute." And as amended, do pass.

LEUTHOLD, Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that the House recess until 6:30 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 363, respectfully report as follows: That House Bill No. 363 be amended as follows:

On Page 13, between line 12 and line 13 the following be inserted:

"Apiary division or bee inspection activity from grain grading and scale testing revolving fund. For salaries and expenses, Five Thousand Dollars, \$5,000.00" and on Page 27, between line 13 and line 14 the following be inserted: "Apiary division or bee inspection activity from grain grading and scale testing revolving fund. For salaries and expenses, Five Thousand Dollars, \$5,000.00" and in Section 4, page 31, line 14, after the word "appropriations" insert a comma and add, "and no claim shall be approved by the State Board of Examiners for payment out of any fund for which an appropriation is made herein until and unless the department, board, bureau, commission or institution against which such claim is presented shall have certified the same as a just and legal claim." And as amended do pass.

DOUGHERTY, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length:

House Bill No. 395: Introduced by Stevens: A Bill for an Act entitled: "An Act relating to the preservation of historical, archaeological and scientific resources of the State of Montana; creating and establishing a commission to be known as the Science Commission of Montana; designating the members thereof, and prescribing the duties, powers and authority of said commission; providing penalties for violation of this Act, and providing that all Acts or parts of Acts in conflict with or within

the purview of this Act are hereby repealed." Referred to Committee on State Boards and Offices.

House Bill No. 396: Introduced by McLeod, Murray and Anderson (Cascade): A Bill for an Act entitled: "An Act amending Sections 1 and 2 of Chapter 94 of the Laws of 1937, providing a license tax on all persons, associations, or corporations owning or operating a telephone business in this State; and repealing Acts in conflict herewith." Referred to Committee on Revenue and Taxation.

House Bill No. 397: Introduced by McLeod, Murray and Anderson (Cascade): A Bill for an Act entitled: "An Act to amend Section 2815.29 of the Revised Codes of Montana 1935, relating to tax on imported beer; and to amend Section 2815.50 of the Revised Codes of Montana, 1935, relating to distribution of revenue." Referred to Committee on Revenue and Taxation.

House Bill No. 398: Introduced by Murray, McLeod and Anderson (Cascade): A Bill for an Act entitled: "An Act to amend Sections 11573.4 and 11573.8 of the Revised Codes of Montana, 1935, relating to the production and sales of prison-made goods, and repealing Section 11573.5 of the Revised Codes of Montana, 1935." Referred to Committee on State Institutions, Buildings and Grounds.

House Bill No. 399: Introduced by Longenecker: A Bill for an Act entitled: "An Act to amend Section 349.3 of the Revised Codes of Montana of 1935, relating to appointment of members of the Water Conservation Board." Referred to Committee on State Boards.

House Bill No. 400: Introduced by Judiciary Committee: A Bill for an Act entitled: "An Act to amend Section 9389, Revised Codes of Montana, 1935, relating to bills of exception made at time of ruling and also Section 9390, Revised Codes of Montana, 1935, relating to bills of exception made after judgment; providing when bills of exception need not be, and when bills must be, prepared, contents, settlement and authentication thereof, and to transcripts on appeal." Referred to Committee on Judiciary.

House Bill No. 401: Introduced by Fish and Game Committee: A Bill for an Act entitled: "An Act to amend Section 3689 of the Revised Codes of Montana of 1935, relating to the carrying and exhibiting of licenses." Referred to Committee on Fish and Game.

House Bill No. 402: Introduced by Judiciary Committee: A Bill for an Act entitled: "An Act to amend Section 9416, Revised Codes of Montana, 1935, relating to issuance of executions on judgments, and stay of the operation and effect thereof, and providing when the District or Supreme Court may preserve the subject matter of an action during the course thereof and on appeal, and clarifying the law relating thereto." Referred to Committee on Judiciary.

House Bill No. 403: Introduced by Judiciary Committee: A Bill for an Act entitled: "An Act to amend Sections 9367, 9369, 9370 and 9371, Revised Codes of Montana, 1935, relating to findings of fact and conclusions of law and entry of judgment thereon, when reversals may be had for defective findings, exceptions thereto and proceedings thereon." Referred to Committee on Judiciary.

House Bill No. 404: Introduced by Duncan: A Bill for an Act entitled: "An Act to amend Section 5019, Revised Codes of Montana, 1935, as amended by Chapter 4, Laws of 1937, relating to Fire Departments in cities and towns of the State and providing for the establishment, organization, equipment, management and control thereof as part of the police power of the State in the interest of public safety." Referred to Committee on Affairs of Cities.

House Bill No. 405: Was introduced by unanimous consent without previous notice by Committee on Appropriations: A Bill for an Act en-

titled: "An Act to amend Sections I and III of Part VIII of Chapter 82, Laws of the Twenty-fifth Legislative Assembly of the State of Montana, known as the Public Welfare Act, relating to appropriations, disposition of funds and disbursements, and repealing all Acts and parts of Acts in conflict." Referred to Committee on Appropriations.

House Bill No. 406: Introduced by Metlen: A Bill for an Act entitled: "An Act classifying, governing and regulating the operations of motor vehicles by carriers and the users thereof in transporting passengers and property over the public highways in the State; imposing fees, taxes and charges for the privilege of using the highways of the State of Montana for the purpose of conducting the business of transporting passengers and property thereon for hire, and providing penalties for the violation thereof, and repealing Section 2 of Chapter 100 of the Laws of the Twenty-fourth Legislative Assembly, 1935." Referred to Committee on Revenue and Taxation.

House Bill No. 407: Was introduced by unanimous consent without previous notice by Goodwin, Ryan, Brown, Beadle, Sullivan, Freshman, Loughran, Spiegel, Cannon, McCarthy: A Bill for an Act entitled: "An Act providing the manner for placing the list of candidates for State Senate and House of Representatives on any primary or General Election ballot." Referred to Committee on Privileges and Elections.

House Bill No. 408: Introduced by Spiegel and Baker: A Bill for an Act entitled: "An Act to amend Section 2408.2, Revised Codes of Montana, 1935, relating to a natural gas distributors and transporters license tax; providing for amount and computation thereof, measurement of gas transported and distributed; and repealing all Acts and parts of Acts in conflict therewith." Referred to Committee on Revenue and Taxation.

House Joint Resolution No. 6: Introduced by Stromnes: A Joint Resolution selecting and designating a state song for the State of Montana." Referred to Committee on Development and Publicity.

House Bill No. 409: Introduced by Baker: A Bill for an Act entitled: "An Act to amend Section 11688, of the Revised Codes of Montana of 1935, relating to the filing of an accusation against district, county, township, or municipal officers of school trustees." Referred to Committee on Judiciary.

MOTIONS AND RESOLUTIONS

It was moved by Leuthold, duly seconded and carried, that the House reconsider its action taken yesterday on House Joint Resolution No. 4 and House Bill No. 265.

It was moved by Leuthold, duly seconded and carried, that House Joint Resolution No. 4 and House Bill No. 265 be referred to the Committee on Education.

THIRD READING OF BILLS

The following, having been read three several times, history and title agreed to, were disposed of as follows: All appropriation measures having been read at length:

Senate Joint Memorial No. 5 was concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Listug,

Long, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Rice, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 85.

Absent: Acher, Acton, Baker, Beadle, Dougherty, Ekern, Friedl, Lehrkind, Lippard, Longenecker, Lowe, Moss (Flathead), Potter, Roehl, Stromnes, Vanderbeck, Watson. Total 17.

It was moved by Morrison, duly seconded and carried, that House Bill No. 145 be laid on the table.

House Bill No. 161 was passed by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Emswiler, Findlater, Freshman, Green, Hageman, Hammond, Hess, Hoiness, James, Kirscher, Lambert, Leuthold, Liggett, Listug, Long, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Miles, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Petersen, Reed, Rice, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stevens, Stewart, Sullivan, Tyler, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 72.

Noes: Aronson, Cole (Petroleum), Flynn, Gebhardt, Goodwin, Kellogg, Laubach, Morrison, O'Connor, Parker (Flathead), Stafford, Stromnes, Watson, Woods. Total 14.

Absent and not voting: Acher, Acton, Armstrong, Baker, Dougherty, Ekern, Friedl, Horrigan, Lehrkind, Lippard, Longenecker, Lowe, Moss (Flathead), Potter, Roehl, Vanderbeck. Total 16.

House Bill No. 125 was passed by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Balgord, Beck, Berthot, Bjorneby, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Horrigan, James, Kirscher, Lambert, Laubach, Leuthold, Liggett, Listug, Long, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Rice, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 82.

Absent and not voting: Acher, Acton, Armstrong, Baker, Beadle, Bower, Dougherty, Ekern, Friedl, Hoiness, Kellogg, Lehrkind, Lippard, Longenecker, Lowe, Moss (Flathead), Potter, Roehl, Vanderbeck, Woods. Total 20.

House Bill No. 81 passed by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Balgord, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Listug, Long, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Cus-

ter), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Rice, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 78.

Noes: Cole (Petroleum), Emswiler, Findlater. Total 3.

Absent and not voting: Acher, Acton, Armstrong, Aronson, Baker, Beadle, Dougherty, Ekern, Friedl, Horrigan, Lehrkind, Lippard, Longenecker, Lowe, Metlen, Moss (Flathead), Potter, Roehl, Stromnes, Vanderbeck, Woods. Total 21.

Substitute House Bill No. 13 was passed by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Balgord, Beck, Berthot, Bjorneby, Bower, Brown, Byrne, Cannon, Clark, Cole (Prairie), Daniel, DeDobbeleer, D'Ewart, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Listug, Long, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Rice, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck, Brower, Mr. Speaker. Total 78.

Noes: Cole (Petroleum), Collins, Duncan, Dunn, Emswiler, Findlater, Reed. Total 7.

Absent and not voting: Acher, Acton, Armstrong, Baker, Beadle, Dougherty, Ekern, Friedl, Horrigan, Lehrkind, Lippard, Longenecker, Lowe, Moss (Flathead), Potter, Roehl, Vanderbeck. Total 17.

Substitute House Bill No. 18 was passed by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Baker, Balgord, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Prairie), Daniel, DeDobbeleer, D'Ewart, Dunn, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Listug, Long, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Rice, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 82.

Noes: Cole (Petroleum), Collins, Duncan, Emswiler, Hageman. Total 5.

Absent and not voting: Acher, Acton, Armstrong, Beadle, Dougherty, Ekern, Friedl, Lehrkind, Lippard, Longenecker, Lowe, Moss (Flathead), Potter, Roehl, Vanderbeck. Total 15.

House Bill No. 119 was passed by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Balgord, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dunn, Dunn, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Lippard, Listug, Long, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Rice, Ryan, Scofield, Smith, Sorte, Spiegel, Stafford, Stev-

ens, Stewart, Stromnes, Sullivan, Tyler, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 84.

Absent and not voting: Acher, Acton, Armstrong, Aronson, Baker, Beadle, Dougherty, Ekern, Friedl, Lehrkind, Longenecker, Lowe, Moss (Flathead), Potter, Roehl, Siegling, Vanderbeck, Watson. Total 18.

House Bill No. 122 was passed by the following vote:

Ayes: Antrim, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Duncan, Emswiler, Findlater, Flynn, Gebhardt, Hageman, Hammond, Hess, Hoiness, James, Kirscher, Lambert, Leuthold, Liggett, Listug, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McLeod, Melin, Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Reed, Smith, Spiegel, Stevens, Sullivan, Wenger, Williams, Wilson, Mr. Speaker. Total 51.

Noes: Anderson (Phillips), Anderson (Cascade), Aronson, Cannon, Clark, D'Ewart, Dunn, Freshman, Goodwin, Green, Horrigan, Kellogg, Laubach, Lippard, Long, Loughran, Lynch, McKenna, Metlen, Miles, Morrison, Murray, Petersen, Rice, Ryan, Scofield, Siegling, Sorte, Stafford, Stewart, Stromnes, Tyler, Watson, Woods, Zuck. Total 35.

Absent and not voting: Acher, Acton, Armstrong, Baker, Byrne, Dougherty, Ekern, Friedl, Lehrkind, Longenecker, Lowe, Moss (Flathead), Parker (Flathead), Potter, Roehl, Vanderbeck. Total 16.

House Bill No. 123 was passed by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Listug, Long, Loughran, Lynch, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Reed, Rice, Ryan, Scofield, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 80.

Noes: Lippard, Stromnes, Watson. Total 3.

Absent and not voting: Acher, Acton, Armstrong, Baker, Byrne, Dougherty, Ekern, Friedl, Lehrkind, Longenecker, Lowe, Malee, Moss (Flathead), Petersen, Potter, Roehl, Siegling, Vanderbeck, Woods. Total 19.

House Bill No. 155 was passed by the following vote:

Ayes: Anderson (Phillips), Antrim, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dunn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Lippard, Listug, Loughran, Lynch, Malee, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Smith, Spiegel, Stafford, Stevens, Stromnes, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 73.

Noes: D'Ewart, Duncan, Flynn, Long, Miles, Rice, Ryan, Scofield. Total 8.

Absent and not voting: Acher, Acton, Anderson (Cascade), Armstrong, Baker, Dougherty, Ekern, Findlater, Friedl, Lehrkind, Longenecker, Lowe, Martin, Moss (Flathead), Potter, Roehl, Siegling, Sorte, Stewart, Vanderbeck. Total 20.

Passed their vote: Emswiler. Total 1.

House Joint Memorial No. 11 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clarke, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Emswiler, Flynn, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Lippard, Listug, Long, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Rice, Ryan, Scofield, Smith, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 81.

Absent and not voting: Acher, Anderson (Cascade), Armstrong, Baker, Dougherty, Ekern, Findlater, Freshman, Friedl, Horrigan, Lehrkind, Longenecker, Lowe, Metlen, Moss (Flathead), Potter, Roehl, Siegling, Sorte, Vanderbeck, Woods. Total 21.

MOTIONS AND RESOLUTIONS

It was moved by McLeod, duly seconded and carried by a two-thirds majority, that House Bill No. 145 be taken from the table.

It was moved by McLeod, duly seconded and carried, that House Bill No. 145 be placed on Third Reading.

It was moved by Flynn, duly seconded and carried, that House Bill No. 260 be taken from the Committee on State Boards and Offices and referred to the Committee on Judiciary.

THIRD READING

House Bill No. 145 having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Anderson (Cascade), Balgord, Beadle, Bjorneby, Bower, Brower, Brown, Cannon, Collins, Daniel, D'Ewart, Emswiler, Flynn, Gebhardt, Hammond, Hess, Hoiness, Kirscher, Lambert, Liggett, Listug, Long, Loughran, McCarthy, McClain, McFatrige, McGee, McLeod, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Flathead), Reed, Ryan, Siegling, Smith, Spiegel, Stafford, Stromnes, Sullivan, Watson, Wenger, Williams, Wilson, Zuck. Total 47.

Noes: Acton, Anderson (Phillips), Antrim, Aronson, Beck, Berthot, Byrne, Clark, Cole (Prairie), DeDobbeleer, Duncan, Dunn, Findlater, Goodwin, Green, Hageman, Kellogg, Laubach, Leuthold, Lippard, Lynch, Malee, Martin, McKenna, Melin, Miles, Morrison, Parker (Wibaux), Petersen, Rice, Scofield, Stevens, Tyler, Mr. Speaker. Total 34.

Absent and not voting: Acher, Armstrong, Baker, Dougherty, Ekern, Freshman, Friedl, Horrigan, James, Lehrkind, Longenecker, Lowe, Metlen, Moss (Flathead), Potter, Roehl, Sorte, Vanderbeck, Woods. Total 19.

Passed their vote: Cole (Petroleum), Stewart. Total 2.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

O'Connor in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That consideration of House Bill No. 202 be passed for the day.

That House Bill No. 56 do pass.

That House Bill No. 132 do pass.

That House Bill No. 204 do pass.

That House Bill No. 209 do pass.

That House Bill No. 70 be amended as follows: Amend Section 1, line 20, original bill, by inserting after the words "high school" the following "for a course or courses not offered in the high school they are attending and which course or courses are necessary for high school graduation" and as amended, do pass.

That House Bill No. 203 be amended as follows: Amend Section 1, line 5 of the printed bill, by inserting after the word "except" before the word "officers" the words "that such application need not be made by"; amend by adding at the end of Section 2 a new Section to be known as Section 3. "Section 3. All Acts and parts of Acts in conflict herewith are hereby repealed." And as amended do pass.

That House Joint Memorial No. 15 do pass.

That House Bill No. 114 do pass.

That consideration of House Bill No. 200 be passed for the day.

That the enacting clause be stricken from House Bill No. 214.

That consideration of Substitute House Bill No. 120 be passed for the day.

That consideration of Senate Bill No. 16 be passed for the day.

O'CONNOR, Chairman.

Report adopted.

It was moved by O'Connor, duly seconded, that the report of the committee be adopted. On substitute motion, it was moved by Watson, duly seconded and carried, that House Bill No. 214 be segregated from the committee report. Whereupon the Committee of the Whole report was adopted, as amended.

MOTIONS AND RESOLUTIONS

It was moved by Watson, duly seconded and carried, that House Bill No. 214 be referred to the Committee on Education.

It was moved by O'Connor, duly seconded and carried, that House Bill No. 202 be taken from General Orders and re-referred to the Committee on Judiciary.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 190 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Emswiler, Findlater, Flynn, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Horrigan, James, Kellogg, Kirscher,

Lambert, Laubach, Leuthold, Liggett, Lippard, Listug, Long, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Petersen, Reed, Ryan, Scofield, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Watson, Wenger, Williams, Zuck, Mr. Speaker. Total 74.

Noes: Duncan, Dunn, Hoiness, Miles, Rice, Siegling, Wilson. Total 7.

Absent and not voting: Acher, Armstrong, Cannon, Dougherty, Ekern, Freshman, Friedl, Lehrkind, Longenecker, Lowe, Moss (Flathead), Murray, O'Connor, Parker (Flathead), Potter, Roehl, Smith, Stromnes, Tyler, Vanderbeck, Woods. Total 21.

House Bill No. 87 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Baker, Balgord, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dunn, Emswiler, Findlater, Flynn, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Listug, Long, Loughran, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Rice, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 78.

Noes: Lippard, Lynch. Total 2.

Absent and not voting: Acher, Armstrong, Beadle, Dougherty, Duncan, Ekern, Freshman, Friedl, Horrigan, Lehrkind, Longenecker, Lowe, Moss (Flathead), Murray, O'Connor, Potter, Roehl, Smith, Stromnes, Tyler, Vanderbeck, Woods. Total 22.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Monday, February 6th, 1939, at 2:00 o'clock P. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

THIRTY-SIXTH DAY

House of Representatives,
Helena, Montana,
February 6, 1939.

House convened, pursuant to adjournment, at 2:00 o'clock P. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Acher, Ekern, Friedl, Lowe, Moss (Flathead) and Parker (Flathead).

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-fifth Legislative Day, find the same to be correct.
HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 97, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bills Nos. 56, 114 and 197, beg leave to recommend that the same be considered correctly engrossed.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bill Nos. 79 and 33.

COLE, Vice-Chairman.

Report adopted.

I have examined House Bill No. 33, introduced by me and find the same to be correct.

METLEN.

I have examined House Bill No. 79, introduced by me and find the same to be correct.

McCLAIN.

The Speaker signed the following in open session: House Bills Nos. 79 and 33, and Senate Bill No. 20.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 388, respectfully report as follows: That House Bill No. 388 do not pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Institutions and Public Buildings, having had under consideration House Bill No. 283, respectfully report as follows: That House Bill No. 283 do pass.

WENGER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 41, respectfully report as follows: That House Bill No. 41 be amended as follows:

By striking out the words "personal, and" in line 14 of Section 1, and the word "mixed" in line 15 of Section 1.

By striking out the words "which lien shall be paramount to any and all other liens and encumbrances against such property save and except liens for taxes already accrued and subject only to the personal exemptions of the taxpayer allowed by law," commencing about the middle of line 17 and ending about the middle of line 20 of said Section 1.

By striking out the words "and to each person, firm, association or corporation holding a lien of record against the property of such taxpayer" commencing at the middle of line 4 and ending in line 6, page 2 of said Section 1. And as amended do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 246, respectfully report as follows: That House Bill No. 246 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 355, respectfully report as follows: That House Bill No. 355 do not pass.

BERTHOT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 305, respectfully report as follows: That House Bill No. 305 do not pass.

FLYNN, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 310, respectfully report as follows: That House Bill No. 310 do not pass.

FLYNN, Vice-Chairman.

It was moved by Flynn, duly seconded and carried, that House Bill No. 310 be re-referred to the Committee on State Boards and Offices.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 405, respectfully report as follows: That House Bill No. 405 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 394, respectfully report as follows: That House Bill No. 394 do pass.

FLYNN, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 395, respectfully report as follows: That House Bill No. 395 do pass.

FLYNN, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 340, respectfully report as follows: That House Bill No. 340 be referred to the Appropriations Committee without comment.

FLYNN, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 339, respectfully report as follows: That House Bill No. 339 do not pass.

FLYNN, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 325, respectfully report as follows: That House Bill No. 325 do pass.

FLYNN, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 399, respectfully report as follows: That House Bill No. 399 do pass.

FLYNN, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 15, respectfully report as follows: That Senate Bill No. 15 be concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 278, respectfully report as follows: That House Bill No. 278 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 121, respectfully report as follows: That House Bill No. 121 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 220, respectfully report as follows: That House Bill No. 220 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 116, respectfully report as follows: That House Bill No. 116 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 257, respectfully report as follows: That House Bill No. 257 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 196, respectfully report as follows: That House Bill No. 196 do not pass.

STROMNES, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to return to your Honorable Body House Bill No. 26, which has been read three several times and concurred in as amended, title and history agreed to, and returned to the House for concurrence in Senate amendments.

Respectfully,

GEORGE A. BURR,

Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Stromnes, duly seconded and carried, that House Bill No. 159 be made a Special Order of Business at 2:30 o'clock P. M. on General Orders on Thursday, February 9th, 1939.

On motion by Dougherty, duly seconded, unanimous consent was given the Committee on Appropriations to introduce a bill without previous sitting.

It was moved by Metlen, duly seconded and carried, that House Bill No. 406 be taken from the Committee on Highways and Highway Transportation and re-referred to the Committee on Revenue and Taxation.

It was moved by Spiegel, duly seconded and carried, that consideration of House Bills Nos. 164 and 165 be passed for the day.

It was moved by Petersen, duly seconded and carried, that House Bill No. 342 be taken from the Committee on Dairying and referred to the Committee on Revenue and Taxation.

It was moved by Baker, duly seconded and carried, that consideration of House Bill No. 136 be passed for the day.

It was moved by McLeod, duly seconded and carried, that the Chief Clerk be instructed to correct House Bill No. 132, now in the Engrossing Committee, by correctly underlining the amendatory matter in this Act.

It was moved by Smith, duly seconded and carried, that House Bill No. 189 be taken from Committee on Public Health and Safety and referred to the Committee on Townships and Counties.

INTRODUCTION OF BILLS

The following was introduced, read first and second times, and referred to committees: All appropriation measures having been read at length.

House Bill No. 410: Introduced by unanimous consent without previous notice, by Committee on Appropriations: A Bill for an Act entitled: "An Act to appropriate money for the operation, maintenance and other purposes as designated herein, for certain State Departments and Offices for the period beginning July 1, 1939, and ending June 30, 1941." Referred to Committee on Appropriations.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows: All appropriation measures having been read at length:

House Bill No. 56 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balford, Beadle, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Emswiler, Flynn, Freshman, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Newell, Padbury, Petersen, Potter, Reed, Rice, Ryan, Scofield, Siegling, Sorte, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods and Mr. Speaker. Total 79.

Noes: McGee and Spiegel. Total 2.

Absent and not voting: Acher, Anderson (Cascade), Beck, D'Ewart, Ekern, Findlater, Friedl, Goodwin, Horrigan, Kirscher, Lowe, Metlen, Moss (Flathead), Murray, O'Connor, Parker (Wibaux), Parker (Flathead), Roehl, Smith, Stromnes and Zuck. Total 21.

House Bill No. 114 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balford, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel,

DeDobbeleer, Duncan, Dunn, Emswiler, Flynn, Freshman, Gebhardt, Goodwin, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Petersen, Potter, Rice, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods and Mr. Speaker. Total 78.

Absent and not voting: Acher, Anderson (Cascade), D'Ewart, Dougherty, Ekern, Findlater, Friedl, Green, Hess, Kirscher, Lippard, Lowe, Metlen, Miles, Moss (Flathead), Murray, O'Connor, Parker (Flathead), Reed, Roehl, Smith, Stewart, Stromnes and Zuck. Total 24.

House Bfl 197 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Duncan, Dunn, Emswiler, Flynn, Freshman, Gebhardt, Goodwin, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Newell, O'Connor, Parker (Wibaux), Petersen, Potter, Rice, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods and Mr. Speaker. Total 82.

Absent and not voting: Acher, D'Ewart, Dougherty, Ekern, Findlater, Friedl, Green, Hess, Kirscher, Lowe, Metlen, Moss (Flathead), Murray, Padbury, Parker (Flathead), Reed, Roehl, Stewart, Stromnes and Zuck. Total 20.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Lehrkind in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That consideration of House Bill No. 80 be passed for the day.

That the enacting clause be stricken from House Bill No. 200.

That Substitute House Bill No. 120 do pass.

That Senate Amendments to House Bill No. 26 be concurred in.

That Senate Bill No. 16 be concurred in.

That House Bill No. 41 be amended as follows: Amend by striking the word "real" in line 7 and inserting the word "real" before the word "property" in line 6, Section 1 of the printed bill; do pass as amended.

That Senate Bill No. 15 be concurred in.

LEHRKIND, Chairman.

It was moved by Lehrkind, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Hoiness, duly seconded and carried, that House Bill No. 200 be segregated from the Committee of the Whole. Whereupon the report of the Committee of the Whole was adopted as amended.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 318, respectfully report as follows: That House Bill No. 318 do not pass.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 17, respectfully report as follows: That House Joint Memorial No. 17 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 12, respectfully report as follows: That House Joint Memorial No. 12 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 16, respectfully report as follows: That House Joint Memorial No. 16 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 410, respectfully report as follows: That House Bill No. 410 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 6, respectfully report as follows: That Senate Bill No. 6 be not concurred in.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 215, respectfully report as follows: That House Bill No. 215 do pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 272, respectfully report as follows: That House Bill No. 272 do pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 292, respectfully report as follows: That House Bill No. 292 do pass.

LAMBERT, Chairman.

Report adopted.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 16 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Berthot, Bjerneby, Bower, Brower, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, Kellogg, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lynch, Malee, McCarthy, McClain, McFatrige, McKenna, Miles, Morrison, Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Scofield, Siegling, Smith, Sorte, Stafford, Stevens, Stewart, Stromnes, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 74.

Noes: Beadle, Beck, Brown, Cannon, Martin, McGee, McLeod, Melin, Moss (Custer), Ryan and Spiegel. Total 11.

Absent and not voting: Acher, Anderson (Cascade), Balgord, Collins, Ekern, Emswiler, Friedl, Hess, James, Kirscher, Lowe, Metlen, Moss (Flathead), Murray, Parker (Flathead), Roehl and Sullivan. Total 17.

Senate Bill No. 15 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Longenecker, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Miles, Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Brower, and Mr. Speaker. Total 81.

Noes: Lambert, Long and Tyler. Total 3.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Collins, Ekern, Emswiler, Friedl, Green, Hess, Kirscher, Lowe, Morrison, Moss (Flathead), Murray, Parker (Flathead), Roehl, Stromnes and Sullivan. Total 18.

Senate Amendments to House Bill No. 26 were concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Daniel, DeDobbeleer, Dougherty, Dunn, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McLeod, Melin, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Brower, and Mr. Speaker. Total 81.

Noes: Duncan. Total 1.

Absent and not voting: Acher, Antrim, Armstrong, Collins, D'Ewart, Ekern, Friedl, Hess, Kirscher, Lowe, McKenna, Metlen, Miles, Moss (Flathead), Murray, O'Connor, Parker (Flathead), Roehl, Stromnes and Sullivan. Total 20.

Mr. Speaker. We, your Committee on Printing, to whom was referred House Bills Nos. 174, 138, 218, 137, 103, 195, 280 and House Joint Memorials

Nos. 13 and 14, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by McLeod, duly seconded and carried, that House Bill No. 26 be referred to the Enrolling Committee for enrollment so that the enrolled bill will show the proper history.

It was moved by Lippard, duly seconded and carried, that House Bills Nos. 136 and 137 be taken from General Orders and referred to Committee on Education.

It was moved by Morrison, duly seconded and carried, that House Bill No. 218 be taken from General Orders and referred to the Committee on Appropriations.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Lehrkind in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 280 recommend that the same do pass.

LEHRKIND, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by McLeod, duly seconded and carried, that House Bill No. 280 be considered correctly engrossed and placed on Third Reading.

THIRD READING

House Bill No. 280, having been read three several times at length, title and history agreed to, passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, and Mr. Speaker. Total 88.

Absent and not voting: Acher, Aronson, Ekern, Friedl, Hess, Kirscher, Lambert, Lowe, Moss (Flathead), Murray, O'Connor, Parker (Flathead), Roehl and Smith. Total 14.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Tuesday, February 7th, 1939, at 11:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

THIRTY-SEVENTH DAY

House of Representatives,
Helena, Montana,
February 7, 1939.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Acher, Ekern, Liggett, Lowe, Moss (Flathead).

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-sixth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 70, 132, 176, 186, 203, 204, 207, 209 and 210, House Joint Memorial No. 15.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 4, 201, 231, 238, 239 and 241, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 143, respectfully report as follows: That House Bill No. 143 do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 354, respectfully report as follows: That House Bill No. 354 do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Horticulture having had under consideration House Bill No. 324, respectfully report as follows: That House Bill No. 324 do pass.

MELIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Horticulture having had under consideration House Bill No. 328, respectfully report as follows: That House Bill No. 328 do pass.

MELIN, Chairman.

Report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR
AND SENATE

Mr. Speaker: This is to advise that I have this day approved House Joint Resolution No. 2 by Employment Committee.

Yours respectfully,

ROY E. AYERS,
Governor of Montana.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Joint Memorial No. 6 was on this date recommended for non-concurrence and the bill is herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 84, 92 and 118, have this day been read three several times, title and history agreed to and concurred in, and are herewith returned to the House.

Respectfully,

GEORGE A. BURR,

Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Stromnes, duly seconded and carried, that the Speaker be authorized by the Assembly to increase the personnel of the Judiciary Committee to sixteen members by the addition of one more member.

The Speaker appointed Mr. Thomas Malee of Deer Lodge County to the Judiciary Committee.

INTRODUCTION OF BILLS

The following were introduced by unanimous consent without previous notice, read first and second times at length and referred to the Committee on Appropriations:

House Bill No. 411: Introduced by Wenger: A Bill for an Act entitled: "An Act to appropriate money for the payment of certain claims arising out of the construction of the student faculty residence hall at the Montana School of Mines, Butte, Montana; and for the payment of said certain claims." Referred to Committee on Appropriations.

House Bill No. 412: Introduced by McLeod and Stromnes: A Bill for an Act entitled: "An Act appropriating money for the full payment of the claim of George Sutich Jr., for medical and hospital care and damages for injuries received while playing football for the Montana State College at Bozeman, Montana in October of 1937." Referred to Committee on Appropriations.

The following were introduced, read first and second times, and referred to committees:

Senate Bill No. 55: Introduced by Campbell (Missoula), and Montgomery: A Bill for an Act entitled: "An Act to amend Section 1, Chapter 37 of the Laws of the Twenty-fifth Legislative Assembly defining photography and the practice thereof." Referred to Committee on Judiciary.

Senate Bill No. 81: Introduced by Swertelle: A Bill for an Act entitled: "An Act to amend Section 2 and Section 10 of Chapter 115 of the Laws of the Twenty-fifth Legislative Assembly of the State of Montana, relating to authority of political subdivisions and governmental agencies to undertake a program of public works; declaring an emergency; declaring purpose of Act." Referred to Committee on Social Security.

Senate Joint Memorial No. 6: By Foor and Plumer: A Resolution Memorializing the Congress of the United States; indorsing the passage and approval of Senate Joint Resolution Number 20 introduced in the Senate of the United States on January 4, 1939, by the Honorable Burton K. Wheeler, United States Senator; providing for the cancellation of certain crop production and harvesting loans heretofore made by the United States government and for other purposes. Referred to Committee on Federal Relations.

Senate Joint Memorial No. 7: By Ruffcorn: A Joint Memorial to the Congress of the United States requesting the enactment of appropriate

legislation for the creation of an air base at Fort Peck dam. Referred to Committee on Federal Relations.

THIRD READING

The following were read three several times, history and title agreed to, and disposed of as follows:

House Bill No. 70 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Baker, Beadle, Beck, Berthot, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Lippard, Listug, Long, Longenecker, Loughran, Lynch, Malee, Martin, McClain, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Bjorneby, Mr. Speaker. Total 90.

Noes: Armstrong. Total 1.

Absent and not voting: Acher, Balgord, Ekern, Hess, Liggett, Lowe, McFatridge, Metlen, Miles, Moss (Flathead), Sullivan. Total 11.

House Bill No. 132 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson, (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Listug, Long, Longenecker, Loughran, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Watson, Wenger, Wilson, Woods, Zuck, Mr. Speaker. Total 87.

Noes: Cole (Petroleum), Duncan, Emswiler, Lippard. Total 4.

Absent and not voting: Acher, Ekern, Hess, Liggett, Lowe, Metlen, Moss (Flathead), Stromnes, Sullivan, Williams. Total 10.

Passed their vote: Lynch. Total 1.

House Bill No. 176 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Lippard, Listug, Long, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Vanderbeck, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 86.

Noes: Antrim, Duncan, Longenecker, Tyler, Watson, Wenger. Total 6.

Absent and not voting: Acher, Anderson (Cascade), Ekern, Hess, Leuthold, Liggett, Lowe, Metlen, Moss (Flathead), Stromnes. Total 10.

House Bill No. 186 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Lippard, Listug, Longenecker, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, Miles, Morrison, Murray, Newell, O'Connor, Padbury, Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Stafford, Stevens, Stewart, Stromnes, Sullivan, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 83.

Noes: Beck, James, Long, McGee, McKenna, McLeod, Melin, Moss (Custer), Parker (Wibaux), Spiegel, Tyler. Total 11.

Absent and not voting: Acher, Ekern, Hess, Leuthold, Liggett, Lowe, Metlen, Moss (Flathead). Total 8.

House Bill No. 203: was passed by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Horrigan, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Listug, Long, Loughran, Lynch, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Ryan, Scofield, Siegling, Smith, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 81.

Noes: Acton, Baker, Balgord, Hammond, Hoiness, James, Martin, McFatridge, Roehl. Total 9.

Absent and not voting: Acher, Ekern, Hess, Liggett, Lippard, Longenecker, Lowe, Malee, Metlen, Moss (Flathead), Sorte, Stromnes. Total 12.

House Bill No. 204 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Byrne, Cannon, Clark, Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Listug, Long, Loughran, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Scofield, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Mr. Speaker. Total 80.

Noes: Anderson (Cascade), Armstrong, Brower, Cole (Petroleum), Findlater, Lippard, McLeod, Parker (Flathead), Ryan, Siegling, Smith, Zuck. Total 12.

Absent and not voting: Acher, Ekern, Hess, Liggett, Longenecker, Lowe, Malee, Metlen, Moss (Flathead), Stromnes. Total 10.

House Bill No. 297 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Lippard, Listug, Long, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 88.

Noes: Longenecker, Miles, Scofield, Watson. Total 4.

Absent and not voting: Acher, Cole (Prairie), Ekern, Flynn, Hess, Liggett, Lowe, Metlen, Moss (Flathead), Stromnes. Total 10.

House Bill No. 209 was passed by the following vote:

Ayes: Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Beck, Berthot, Bjorneby, Bower, Brower, Byrne, Cole (Petroleum), Cole (Prairie), Collins, Daniel, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hammond, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Lippard, Listug, Longenecker, Loughran, Lynch, Malee, Martin, McClain, McFatridge, McKenna, Morrison, Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Siegling, Smith, Sorte, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Clark, Mr. Speaker. Total 76.

Noes: Acton, Anderson (Cascade), Beadle, Brown, Cannon, Hageman, Long, McCarthy, McGee, McLeod, Melin, Miles, Murray, Roehl, Ryan, Scofield, Spiegel. Total 17.

Absent and not voting: Acher, DeDobbeleer, Ekern, Hess, Liggett, Lowe, Metlen, Moss (Flathead), Stromnes. Total 9.

House Bill No. 210 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Beck, Berthot, Bjorneby, Bower, Brower, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Lippard, Listug, Long, Longenecker, Lynch, Malee, Martin, McCarthy, McFatridge, McKenna, Miles, Morrison, Newell, O'Connor, Padbury, Parker, (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Siegling, Smith, Sorte, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 79.

Noes: Anderson (Cascade), Beadle, Brown, Cannon, Loughran, McClain, McGee, McLeod, Melin, Moss (Custer), Murray, Ryan, Spiegel. Total 13.

Absent and not voting: Acher, Ekern, Hess, Leuthold, Liggett, Lowe, Metlen, Moss (Flathead), Rice, Scofield. Total 10.

House Joint Memorial No. 15 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Baker, Balgord, Beadle, Berthot, Bjorneby, Brower, Brown, Clark,

Cole (Petroleum), Cole (Prairie), Collins, Daniel, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Lippard, Listug, Long, Longenecker, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 85.

Noes: Antrim, Beck, Bower, DeDobbeleer, Dougherty, Melin. Total 6.

Absent and not voting: Acher, Byrne, Cannon, D'Ewart, Ekern, Hess, Liggett, Lowe, Metlen, Moss (Flathead). Total 10.

Passed their vote: Stafford. Total 1.

The Speaker signed the following in open session: Senate Joint Memorial No. 2 and Senate Bill No. 12.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Lands having had under consideration House Bill No. 299, respectfully report as follows: That House Bill No. 299 do pass.

SORTE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Mines and Mining having had under consideration House Bill No. 193, respectfully report as follows: That House Bill No. 193 do pass.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands having had under consideration House Bill No. 381, respectfully report as follows: That House Bill No. 381 do pass.

SORTE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands having had under consideration House Bill No. 157, respectfully report as follows: That House Bill No. 157 do pass.

SORTE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands having had under consideration House Bill No. 156, respectfully report as follows: That House Bill No. 156 do pass.

SORTE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands having had under consideration House Bill No. 170, respectfully report as follows: That House Bill No. 170 be referred to the Judiciary Committee.

SORTE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 198, 232, 242, 250 beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that the House recess until 2:30 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration House Bill No. 384, respectfully report as follows: That House Bill No. 384, be printed and put on General Orders without recommendation.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor having had under consideration House Bill No. 240, respectfully report as follows: That House Bill No. 240 do pass.

SPIEGEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation having had under consideration House Bill and Substitute House Bill No. 15, respectfully report as follows: That House Bill No. 15 do not pass, but that Substitute House Bill No. 15: A Bill for an Act entitled: "An Act to amend Section 2952 of the Revised Codes of Montana of 1935, as amended by Chapter 67 of the Session Laws of 1937 relating to Workmen's Compensation; and to repeal all Acts and parts of Acts in conflict herewith." Do pass.

McCARTHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections having had under consideration House Bill No. 269, respectfully report as follows: That House Bill No. 269 do not pass.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections having had under consideration House Bill No. 407, respectfully report as follows: That House Bill No. 407 do pass.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections having had under consideration House Bill No. 104, respectfully report as follows: That House Bill No. 104 be amended; by striking out in Section 1, Page 2, all of line 4 after the word "law", and all of lines 5, 6, 7, 8, 9, 10 and 11, and inserting in lieu thereof the words "The percentages of petitioners required shall be forty-five percent (45%) for all officers subject to recall under this act." And as so amended, House Bill No. 104 do pass.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor having had under consideration House Bill No. 321, respectfully report as follows: That House Bill No. 321 do not pass.

SPIEGEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor having under consideration House Bill No. 233, respectfully report as follows: That House Bill No. 233 do pass.

SPIEGEL, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

Mr. Speaker: This is to advise that the Governor has this day approved House Bill No. 12 by Padbury; House Bill No. 35 by Committee on Revenue and Taxation; House Joint Memorial No. 3 by Liggett; House Joint Memorial No. 1 by Martin; House Bill No. 65 by Brower, and the same have been filed with the Secretary of State and copies thereof with the Clerk of the Supreme Court.

Yours truly,

JOHN J. JEWELL,

Secretary to the Governor.

MOTIONS AND RESOLUTIONS

It was moved by Morrison, duly seconded and carried, that House Bill No. 103 be taken from General Orders and re-referred to the Committee on State Boards and Offices.

It was moved by James, duly seconded and carried, that House Bill No. 381 be taken from the Committee on Printing and referred to State Lands.

It was moved by McLeod, duly seconded and carried, that the Chief Clerk, be instructed to include in the title of House Bill No. 396 the following "and repealing Acts in conflict herewith."

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 41 and 120.

RICE, Chairman.

Report adopted.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Green in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 80 be amended as follows: Amend Section 3, line 7 of the printed bill by striking the word "Helena" and inserting in lieu thereof the word "Missoula," and as amended, do pass.

That House Bill No. 164 do pass.

That House Bill No. 174 do pass.

That House Bill No. 195 do pass.

That House Bill No. 165 do pass.

That House Bill No. 138 do pass.

That House Joint Memorial No. 13 do pass.

That House Joint Memorial No. 14 do pass.

GREEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following correctly enrolled: House Bills Nos. 118, 92, 84.

COLE (Prairie), Chairman.

Report adopted.

I have examined House Bill No. 92 introduced by me and find the same to be correct.

STAFFORD.

I have examined House Bill No. 84 introduced by me and find the same to be correct.

McCLAIN.

I have examined House Bill No. 118 introduced by me and find the same to be correct.

McCLAIN.

The Speaker signed the following in open session. House Bills Nos. 118, 92 and 84.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration House Bill No. 113, respectfully report as follows: That House Bill No. 113 do not pass.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration Senate Bill No. 47, respectfully report as follows: That Senate Bill No. 47 be amended as follows:

That the words "at least sixteen years of age" be stricken from Section 1186.3, and in lieu thereof the words "at least eighteen years of age" appear, and that said Senate Bill No. 47 as amended, do pass.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration Substitute House Bill No. 14, respectfully report as follows: That Substitute House Bill No. 14 do not pass.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration House Bill No. 17, respectfully report as follows: That House Bill No. 17 do not pass.

LEHRKIND, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 67, and 185 having this day been read three several times, and concurred in as amended, are herewith returned to the House for concurrence in Senate amendments.

Respectfully,

GEORGE A. BURR,

Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by McLeod, duly seconded and carried, that the House reconsider its action on Substitute House Bill No. 14.

It was moved by Lehrkind, duly seconded, that report of the Committee on Substitute House Bill No. 14, that the bill do not pass, be adopted.

On substitute motion, it was moved by Anderson of Phillips, duly seconded and carried, that Substitute House Bill No. 14 be placed on General Orders.

It was moved by Flynn, duly seconded and carried, that the House reconsider its action on House Bill No. 305.

It was moved by Flynn, duly seconded and carried, that House Bill No. 305 be re-referred to the Committee on State Boards and Offices.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 135, 179, 151, 394, 257, 121, 116, 220, 275, 283, 325, 278, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Green in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That consideration of Senate Bill No. 47 be passed for the day.

That Senate Amendments to House Bill No. 67 be concurred in.

That Senate Amendments to House Bill No. 185 be not concurred in and that a conference committee be appointed in the House and a like Committee be requested from the Senate.

GREEN, Chairman.

Report adopted.

The Speaker appointed Stromnes of Cascade, O'Connor of Carbon and Lippard of Chouteau to act as conference committee on Senate Amendments to House Bill No. 185.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Wednesday, February 8th, 1939, at 10:00 o'clock A. M.

D. M. MANNING,

Speaker.

J. P. BRENNAN, Chief Clerk.

THIRTY-EIGHTH DAY

House of Representatives,
Helena, Montana,
February 8, 1939.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present, except the following who were excused: Acher, Ekern, Liggett, Lowe, Malee, Moss (Flathead) and Woods.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-seventh Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 313, respectfully report as follows: That House Bill No. 313 do not pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 340, respectfully report as follows: That House Bill No. 340 do not pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 411, respectfully report as follows: That House Bill No. 411 do not pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 286, respectfully report as follows: That House Bill No. 286 do not pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 213, respectfully report as follows: That House Bill No. 213 do pass.

FRESHMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 254, respectfully report as follows: That House Bill No. 254 do pass.

FRESHMAN, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker: I advise that the Governor has approved House Bill No. 34 by Committee on Revenue and Taxation, House Bill No. 76 by Committee on State Lands, House Bill No. 89 by Hoiness, House Bill No. 44 by Committee on Revenue and Taxation, and the same have been filed with the Secretary of State and copies thereof filed with the Clerk of the Supreme Court.

Respectfully yours,

JOHN J. JEWELL,
Secretary to the Governor.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. J. R. No. 3, having been read three several times, title and history agreed to and concurred in, is herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate did on this day fail to concur in House Bill No. 130 and the same is herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bills Nos. 76, 45, 86, 91, 84, and 82, also Senate Joint Memorial No. 8, having been read three several times, title and history

agreed to and passed, are herewith transmitted to the House for concurrence.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by McLeod, duly seconded and carried, that the House reconsider its action on House Bill No. 321.

It was moved by Leuthold, duly seconded and carried, that House Bill No. 239 be taken from General Orders and re-referred to the Committee on Appropriations.

It was moved by Hoiness, duly seconded and carried, that House Bill No. 201 be taken from General Orders and referred to the Committee on Dairying.

It was moved by Martin, duly seconded and carried, that House Bill No. 321 be re-referred to the Committee on Labor.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees: All appropriation measures having been read at length.

Senate Bill No. 76, introduced by Committee on Counties and Towns: A Bill for an Act entitled: "An Act to amend Section 214, Revised Codes of Montana, 1935, requiring public officers to allow the State Examiner access to their cash and bank accounts during the examination of their offices, providing for the suspension of any officer who refuses access to cash, bank accounts, books and records of their offices or when a shortage in accounts appears after verification of accounts, providing for the removal of any public officer where shortage is shown upon examination of any public offices; providing for the filing of reports by the State Examiner and the appointment of a successor for any officer suspended or removed from office." Referred to Committee on Townships and Counties.

Senate Bill No. 45, introduced by Robinson: A Bill for an Act entitled: "An Act to amend Sections 1002 and 1003 of the Revised Codes of Montana, 1935, relating to the qualification of the elector and challenges and oath of voters for school elections and repealing all Acts or parts of Acts in conflict herewith." Referred to Committee on Privileges and Elections.

Senate Bill No. 86, introduced by Plank: A Bill for an Act entitled: "An Act to amend Section 11159 of the Revised Codes of Montana, 1935, relating to gambling, as amended by Chapter 153 of the Session Laws of the Twenty-fifth Legislative Assembly 1937; by omitting therefrom the provisions of the amendatory act providing for playing of certain games for amusement and the use in places of business trade stimulators upon the payment of license fees; re-enacting the provisions of said Section 11159, as the same appeared prior to said amendatory Act." Referred to Committee on Public Morals, Charities and Reforms.

Senate Bill No. 91, introduced by Committee on Roads and Highways: A Bill for an Act entitled: "An Act validating, approving and confirming all elections heretofore proposed and held by the initiative pursuant to Section I of Article V of the Constitution of the State of Montana and the provisions of Chapter 13 of Revised Codes of Montana, 1935, and the Election Laws of the State of Montana, authorizing the issuance of debentures of the State of Montana, providing for the sale thereof for the use in the State Highway grants providing for a tax on gasoline or motor

fuels and anticipated revenue therefrom, all as is more fully described in the initiative measures submitted at such elections, at which elections the proposal to issue said debentures received a majority of all the votes tendered and of all votes cast at such elections." Referred to Committee on Highways.

Senate Bill No. 84, introduced by Committee on Stockgrowing and Grazing: A Bill for an Act entitled: "An Act to amend Section 3298.19, Revised Codes of Montana, 1935, relating to the inspection of hides of cattle before selling, destroying or otherwise disposing of the same; and production of evidence of the inspection thereof declaring it to be unlawful to sell or otherwise dispose of hides which have not been inspected; and providing that any person slaughtering cattle shall exhibit the hide or hides to any inspecting officers." Referred to Committee on Livestock and Public Ranges.

Senate Bill No. 82, introduced by Burke: A Bill for an Act entitled: "An Act relating to persons who allow water to run onto a public highway or onto the property of another, providing punishment for a violation thereof and amending Section 11531 of the Revised Codes of Montana, 1935." Referred to Committee on Irrigation and Water Rights.

Senate Joint Memorial No. 8, introduced by Arnold, Waite and Lamp: A Resolution Memorializing the Congress of the United States, providing for extending the time of the present interest rate on all Federal Land Bank Farm Loans. Referred to Committee on Federal Relations.

THIRD READING

The following having been read three several times, title and history agreed to, were disposed of as follows: All appropriations measures having been read at length.

House Bill No. 41 was passed by the following vote:

Ayes: Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beck, Berthot, Bjorneby, Bower, Brower, Byrne, Clark, Cole (Petroleum), Collins, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, James, Kellogg, Laubach, Leuthold, Lippard, Listug, Longenecker, McFatrige, Morrison, Newell, Parker (Wibaux), Parker (Flathead), Potter, Reed, Scofield, Siegl-ing, Stafford, Stromnes, Vanderbeck, Watson, Wenger, Wilson, Zuck and Mr. Speaker. Total 51,

Noes: Acton, Baker, Beadle, Brown, Cannon, Daniel, DeDobbeleer, Freshman, Gebhardt, Hess, Horrigan, Long, Loughran, Lynch, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Miles, Moss (Custer), Murray, Petersen, Rice, Roehl, Ryan, Sorte, Spiegel, Stevens, Stewart, Sullivan, Tyler and Williams. Total 35.

Absent and not voting: Acher, Anderson (Cascade), Cole (Prairie), Ekern, Kirscher, Lambert, Lehrkind, Liggett, Lowe, Malee, Metlen, Moss (Flathead), O'Connor, Padbury, Smith and Woods. Total 16.

Substitute House Bill No. 120 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Listug, Longenecker, Loughran, Lynch, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker

(Wibaux), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Collins and Mr. Speaker. Total 82.

Noes: Armstrong, Duncan, Horrigan, Lippard, Long, McFatridge, Miles, Parker (Flathead). Total 8.

Absent and not voting: Acher, Anderson (Cascade), Ekern, Hoiness, Liggett, Lowe, Malee, Metlen, Moss (Flathead), O'Connor, Stromnes and Woods. Total 12.

Senate Amendments to House Bill No. 67 were concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Lippard, Listug, Long, Longenecker, Loughran, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck and Mr. Speaker. Total 88.

Noes: Duncan. Total 1.

Absent and not voting: Acher, Anderson (Cascade), Ekern, Liggett, Lowe, Malee, Metlen, Moss (Flathead), O'Connor, Smith, Stewart, Stromnes and Woods. Total 13.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole, for consideration of General Orders, under the rules of the previous sitting.

Spiegel in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 4 be amended as follows: Amend Section 2, line 4 by inserting the words "each shall" after the words "Capitol and" and inserting the word "a" after the words "control of" and striking the word "Commissioners" and inserting the word "Commissioner"; and amend line 5 by striking the words "The Commissioners" and inserting in lieu thereof the words "Each Commissioner" and as amended do pass.

That House Bill No. 231 do pass.

That consideration of House Bill No. 238 be passed for the day.

That consideration of House Bill No. 241 be passed for the day.

That House Bill No. 135 do pass.

That consideration of House Bill No. 179 be passed for the day.

That House Bill No. 151 do pass.

That consideration of House Bill No. 394 be passed for the day.

That the enacting clause be stricken on House Bill No. 257.

SPIEGEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 215, 227, 272, 292, 395, 399, 405 and Substitute

House Bills Nos. 15 and 53, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 260, respectfully report as follows: That House Bill No. 260 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 192, respectfully report as follows: That House Bill No. 192 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 115, respectfully report as follows: That House Bill No. 115 do not pass.

STROMNES, Chairman.

It was moved by Stromnes that the report be adopted.

On substitute motion, it was moved by Petersen, duly seconded and carried, that House Bill No. 115 be printed and placed on General Orders.

Mr. Speaker: We your Committee on Appropriations, having had under consideration House Bill No. 297, respectfully report as follows: That House Bill No. 297 do not pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, a majority of your Committee on Judiciary, having had under consideration House Bill No. 59, respectfully report as follows: That House Bill No. 59 do not pass, and that Substitute House Bill No. 59: A Bill for an Act entitled: "An Act to amend Section 5702, Revised Codes of Montana, 1935, to include a provision prohibiting marriages between white persons and persons of the Malay race." do pass.

BJORNEBY,
BAKER,
LIPPARD,
BROWN,
DUNN,
MALEE,
FLYNN,
ZUCK,
O'CONNOR,
SMITH,
ANDERSON (Phillips).
RICE,
SULLIVAN,
HOINESS,
STROMNES, Chairman.

Mr. Speaker: I a minority of Committee on Judiciary, having had under consideration Substitute House Bill No. 59, respectfully report as follows: That Substitute House Bill No. 59 do not pass.

STAFFORD.

It was moved by Stromnes, duly seconded, that the majority report be adopted.

On substitute motion, it was moved by Stafford, duly seconded, that the minority report be adopted. Motion was lost. Whereupon report of the majority was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 280 having been read three several times, title and history agreed to and concurred in, is herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate did on this day appoint the following committee to act with a like committee appointed by the House in considering the Senate Amendments placed on House Bill No. 185. Keeley, Drumheller and Bateman.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 363, 101, 328, 354, 143, 324, 246, 156, 157, 407, 384 and House Joint Memorial No. 16, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Smith, duly seconded and carried, that House Bill No. 238 be placed on General Orders.

It was moved by Brower, duly seconded and carried, that House Bill No. 241 be re-referred to the Committee on Education.

It was moved by McLeod, duly seconded and carried, that the House recess until 2:30 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 43, respectfully report as follows: That House Bill No. 43 do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 295, respectfully report as follows: That House Bill No. 295 do not pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 168, respectfully report as follows: That House Bill No. 168 be amended "in line nineteen (19) shall

is to be changed to may and in line twenty-one (21) shall is to be changed to may." Do pass as amended.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 293, respectfully report as follows: That House Bill No. 293 be re-referred to the Judiciary Committee.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration Senate Bill No. 84, respectfully report as follows: That Senate Bill No. 84 be concurred in.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 208, respectfully report as follows: That House Bill No. 208 do not pass.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration Senate Bill No. 91, respectfully report as follows: That Senate Bill No. 91 be concurred in.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills No. 80, 165, 174 and 195.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bills Nos. 138 and 164, beg leave to recommend that the same be considered correctly engrossed.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Joint Resolution No. 3 and House Bill No. 280.

COLE, Chairman.

Report adopted.

I have examined House Joint Resolution No. 3 introduced by me and find the same to be correct.

McLEOD.

I have examined House Bill No. 280 introduced by me and find the same to be correct.

DOUGHERTY.

The Speaker signed the following in open session: House Joint Resolution No. 3 and House Bill No. 280.

MOTIONS AND RESOLUTIONS

It was moved by McLeod, duly seconded, that the House reconsider its action on the committee report on House Bill No. 295.

On substitute motion, it was moved by Padbury, duly seconded, that the motion by McLeod be laid on the table. A roll call, to be entered in the Journal, was requested by the required number and the motion by Padbury carried by the following vote:

Ayes: Anderson (Phillips), Armstrong, Aronson, Baker, Balgord, Berthot, Brower, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, McFatridge, Metlen, Miles, Morrison, Newell, O'Connor, Padbury, Potter, Roehl, Scofield, Siegling, Smith, Stevens, Stewart, Stromnes, Vanderbeck, Watson, Williams and Wilson. Total 56.

Noes: Anderson (Cascade), Beck, Bjorneby, Bower, Brown, Cannon, Daniel, DeDobbeleer, Ekern, Flynn, Hess, James, Lambert, Long, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Moss (Custer), Murray, Parker (Wibaux), Petersen, Reed, Rice, Ryan, Spiegel, Stafford, Sullivan, Tyler, Wenger, Zuck and Mr. Speaker. Total 35.

Absent and not voting: Acher, Antrim, Beadle, Friedl, Liggett, Malee, Moss (Flathead), Parker (Flathead), Sorte and Woods. Total 10.

Passed their vote: Acton. Total 1.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length.

House Bill No. 138 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Baker, Balgord, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck and Mr. Speaker. Total 91.

Absent and not voting: Acher, Antrim, Beadle, Ekern, Liggett, Malee, McFatridge, Moss (Flathead), Smith, Sorte, and Woods. Total 11.

House Bill No. 164 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Baker, Balgord, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Flynn, Freshman, Friedl, Gebhardt, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Long, Longenecker, Loughran, Lynch, McCarthy, McClain, McGee, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Spiegel, Stafford, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Findlater and Mr. Speaker. Total 83.

Noes: Green, Leuthold, Lippard, Lowe, Martin and McKenna. Total 6.

Absent and not voting: Acher, Antrim, Beadle, Liggett, Listug, Malee, McFatrige, Moss (Flathead), Sorte, Stromnes and Woods. Total 11.

Passed their vote: Goodwin and Stevens. Total 2.

House Bill No. 80 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Baker, Balgord, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck and Mr. Speaker. Total 93.

Absent and not voting: Acher, Antrim, Beadle, Liggett, Malee, McFatrige, Moss (Flathead), Sorte and Woods. Total 9.

House Bill No. 165 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Baker, Balgord, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Listug, Longenecker, Lowe, Lynch, Martin, McCarthy, McClain, McFatrige, McLeod, Melin, Metlen, Miles, Morrison, Murray, Newell, O'Connor, Padbury, Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Loughran, and Mr. Speaker. Total 83.

Noes: Leuthold, Lippard, Long, McGee, McKenna, Moss (Custer), Ryan, Stevens. Total 8.

Absent and not voting: Acher, Antrim, Beadle, Ekern, Liggett, Malee, Moss (Flathead), Parker (Wibaux), Stromnes, Sullivan and Woods. Total 11.

House Bill No. 174 was passed by the following vote.

Ayes: Acton, Anderson (Phillips), Armstrong, Aronson, Baker, Balgord, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatrige, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Smith, Sorte, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck and Mr. Speaker. Total 85.

Noes: Daniel, Duncan, Long, Metlen, Spiegel and Sullivan. Total 6.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Beadle, Liggett, Malee, Moss (Flathead), Siegling, Stromnes and Woods. Total 10.

Passed their vote: McGee. Total 1.

House Bill No. 195 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Baker, Berthot, Bjorneby, Bower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Ekern, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, Kellogg, Kirscher, Lehrkind, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Flathead), Potter, Reed, Roehl, Ryan, Scofield, Stafford, Stevens, Stewart, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Zuck, Brower, Parker (Wibaux), and Mr. Speaker. Total 76.

Noes: Balgord, Beck, Daniel, Duncan, Flynn, James, Lambert, Laubach, Leuthold, Long, Petersen, Rice, Smith, Sorte, Spiegel, Stromnes and Vanderbeck. Total 17.

Absent and not voting: Acher, Antrim, Beadle, Dunn, Liggett, Malee, Moss (Flathead), Siegling and Woods. Total 9.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 85 and Substitute House Bill No. 3, having this day been read three several times, title and history agreed to as amended, are herewith returned to the House for concurrence in the Senate amendments.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 45, 38, 39 and 40, having this day been read three several times, title and history agreed to and concurred in, are herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bills Nos. 63, 58, 65, 75, 39, 62, 59, 46 and 92, also Senate Joint Memorial No. 10, were on this day read three several times, title and history agreed to and passed, and are herewith transmitted to the House for concurrence.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 299 and House Joint Memorial No. 12, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

Senate Bill No. 63, introduced by Committee on Counties and Towns: A Bill for an Act entitled: "An Act to amend Section 4464, of the Revised Codes of Montana, 1935, relating to compensation and mileage of county commissioners." Referred to Committee on Townships and Counties.

Senate Bill No. 58, introduced by Committee on Relief and Social Welfare: A Bill for an Act entitled: "An Act to amend Section 3, Section 4, Section 7, Section 8, Section 14 and Section 17, of Chapter 137 of the Session Laws of the Twenty-fifth Legislative Assembly of Montana, being the Unemployment Compensation Law; entitled an Act providing for unemployment compensation; creating a State Unemployment Compensation Commission; establishing an unemployment compensation fund and providing for the administration, distribution and investment thereof; providing for the assessment and collection of contributions upon pay rolls of employers; creating a State Employment Service and providing an appropriation therefor; providing penalties for violation." Referred to Committee on Appropriations.

Senate Bill No. 65, introduced by Committee on Stock Growing and Grazing: A Bill for an Act entitled: "An Act to amend Section 3324 of the Revised Codes of Montana of 1935 as amended by Section I of Chapter 133 of the Session Laws of 1937, relating to inspection of livestock and removal from county to county." Referred to Committee on Livestock and Public Ranges.

Senate Bill No. 75, introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to amend Sections 1224.3, 1224.4, 1224.10 1224.11, 1224.16 and 1224.17 of the Revised Codes of Montana of 1935, and Section 1224.6, of the Revised Codes of Montana, 1935, as amended by Chapter 57, Acts of Twenty-fifth Legislative Assembly of the State of Montana all relating to bonds issued by school trustees." Referred to Committee on Judiciary.

Senate Bill No. 59, introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to amend Section 4630.12 of the Revised Codes of Montana of 1935, prescribing the qualifications of persons entitled to vote at County Bond elections, for closing of registration books and for preparation of list of qualified electors and poll books." Referred to Committee on Privileges and Elections.

Senate Bill No. 46, introduced by Tierney, Alvord, Arnold, Ecton, Plank, Pauline, Haight, Kathan: A Bill for an Act entitled: "An Act prohibiting the permitting of minors under the age of eighteen (18) years to enter, stop, resort or loiter, in any establishment where wine, whiskey or other intoxicating liquors are sold, served, or dispensed; providing penalties therefor; providing notice to the Montana Liquor Control Board of convictions; excluding State Liquor Stores from the operation of this Act; and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Public Morals, Charities and Reforms.

Senate Bill No. 39, introduced by Waite and Wood: A Bill for an Act entitled: "An Act permitting the joinder of parties plaintiff in actions for the cancellations of or quieting title against oil and/or gas leases." Referred to Committee on Petroleum, Oil and Gas.

Senate Bill No. 62, introduced by Committee on Counties and Towns: A Bill for an Act entitled: "An Act to amend Section 4885, of the Revised Codes of Montana, 1935, relating to mileage and expenses of sheriffs." Referred to Committee on Townships and Counties.

Senate Bill No. 92, introduced by Committee on Roads and Highways: A Bill for an Act entitled: "An Act to amend and re-enact Sections 2, 3, 4, 6 and 9 of initiative measure No. 41 entitled: 'A Bill to enact by the initiative a law to be known as the State Highway Treasury anticipation debentures Act of 1938; authorizing the issuance of debentures of the State of Montana in the principal sum of Three Million Dollars (\$3,000,000) at such times and in such amounts up to the said principal sum, as shall from time to time be required for the purpose hereinafter set forth; and providing for the sale thereof for the use of the State Highway Fund in matching Federal Highway grants and assuring the ability of the State of Montana to secure moneys made available by Acts of Congress in refer-

ence to highways; providing for a tax on gasoline or motor fuels and anticipating revenues therefrom; prescribing the form and conditions of said debentures and interest thereon at a rate not exceeding four percentum (4%); providing the date of their maturity and of calling or payment thereof; providing a method by which the State Treasurer may purchase such debentures and providing that such debentures may be accepted as security for the repayment of public moneys; prescribing the conditions under which the sale of such debentures may be made and the use of the funds to be derived from the sale of such debentures; providing for the repayment of both principal and interest of such debentures and for the pledging and setting aside of a sufficient amount of said excise tax on gasoline or motor fuel to pay the same from the State Highway Treasury Redemption Fund herein created; providing for the creating of a liability binding the State of Montana not to reduce the license tax on gasoline or motor fuel as the same now exists, being now five cents (5c) per gallon of gasoline purchased for use in propelling motor vehicles upon the highways of the State of Montana, until after the accrual of a sufficient amount of money in such Highway Treasury Redemption Fund to pay in full the principal and interest of such debentures lawfully issued under the authority hereof; and providing that no part of the gasoline excise tax mentioned be diverted to any other purpose than use for highway construction, betterment and maintenance; 'approved at a State-wide election held November 8, 1938; clarifying the Act by making more specific the manner in which the debentures shall be sold and the place and time of payment providing the form of debenture and form of interest coupon to be attached to such debenture; fixing date of issuance and maturity of debentures and the order of payment of both interest and principal; the means and method of call and registration of debentures and providing that the excise or license tax of five cents (5c) per gallon gasoline or motor fuels, or dealers or distributors, shall not be reduced; providing for a State Highway anticipation debenture interest and redemption fund deleting from Section 4 of said Act the provision that the proceeds set aside are appropriated for the purpose as set forth in the Act; and adding to Section 9 a proviso to the effect that all covenants in the debentures shall be for the equal protection and benefit of holders, and all debentures and coupons shall be of equal rank; repealing all Acts or parts of Acts inconsistent with the terms hereof and declaring an emergency." Referred to Committee on Appropriations.

Senate Joint Memorial No. 10, introduced by Martinson and Lott: "A Joint Memorial requesting a Congressional investigation of the smelting and refining business in order to determine means for the alleviation of economic distress unemployment and loss to small mine operators as a result of these smelters being closed." Referred to Federal Relations.

MOTIONS AND RESOLUTIONS

It was moved by Stromnes, duly seconded and carried by a two-thirds vote, that the rule be suspended for the introduction of bills for the introduction of one bill only.

INTRODUCTION OF BILLS

The following was introduced, read first and second times, and referred to a committee:

House Bill No. 413, introduced by Stromnes: A Bill for an Act entitled: "An Act to amend Section 9067 of the Revised Codes of Montana, 1935, designating those who may maintain an action." Referred to Committee on Judiciary.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Dunn in the Chair. Committee arose with leave to sit again.

House resumed. Speaker pro tem, Mr. DeDobbeleer in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 238 be amended as follows: Amend Section 1 by striking from said section all matter commencing on line 9 with the words "if committed in their presence," and striking all of lines 10 and 11 and inserting in lieu thereof the following: "if committed in the presence of said supervisor or any of said patrolmen, or if committed in a rural district, upon the request of a peace officer, or if committed in a city or town of less than twenty-five hundred (2,500) inhabitants, upon the request of any peace officer, or the mayor, or an alderman of said city or town." And as amended do pass.

That House Bills Nos. 121, 116, 220, 275, 283, and 198 do pass.

That consideration of House Bill No. 232 be passed for the day.

DUNN, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by McLeod, duly seconded and carried, that the House reconsider its action on the report of the Committee of the Whole this morning.

It was moved by McLeod, duly seconded and carried, that House Bill No. 394 be segregated from the report of the Committee of the Whole.

It was moved by Spiegel, duly seconded and carried, that the report of the Committee of the Whole be adopted as amended.

It was moved by McLeod, duly seconded and carried, that House Bill No. 394 be placed at the head of the list on General Orders.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Dunn in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That the enacting clause be stricken from House Bills Nos. 394 and 242.

That House Bills Nos. 250, 325 and 278 do pass.

That Senate Bill No. 47 be amended as follows: Amend Section 1, line 6, by striking the word "eighteen" and inserting in lieu thereof the word "twenty-one" and as amended, be concurred in.

That consideration of Substitute House Bill No. 14 be passed for the day and be placed at the head of the list on General Orders tomorrow.

That the Senate Amendments to House Bill No. 85 be concurred in.

That Senate Amendments to Substitute House Bill No. 3 be not concurred in and that a conference committee be appointed by the House and a like committee requested from the Senate.

DUNN, Chairman.

It was moved by Dunn, duly seconded, that the report of the Committee be adopted.

On substitute motion, it was moved by Spiegel, duly seconded, that House Bill No. 394 be segregated from the report of the Committee of the

Whole. A roll call, to be entered in the Journal, was requested by the required number and the motion by Spiegel lost by the following vote:

Ayes: Beck, Bjerneby, Bower, Brown, Daniel, DeDobbeleer, Ekern, Flynn, Hess, James, Lambert, Long, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Moss (Custer), Murray, Petersen, Ryan, Spiegel and Sullivan. Total 24.

Noes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Berthot, Brower, Byrne, Clark, Cole (Petroleum), Cole, (Prairie), Collins, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, Kellogg, Laubach, Lehrkind, Leuthold, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, McFatridge, Melin, Metlen, Miles, Morrison, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Stafford, Stevens, Stewart, Stromnes, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck and Mr. Speaker. Total 67.

Absent and not voting: Acher, Anderson (Cascade), Beadle, Cannon, Kirscher, Liggett, Malee, Moss (Flathead), Smith, Tyler, and Woods. Total 11.

Whereupon motion to adopt Committee of the Whole report was adopted.

It was moved by Anderson of Cascade, duly seconded, that the Rules be suspended on introduction of bills, for the purpose of introducing one bill only. Motion referred to the Committee on Rules, Joint Rules and Order of Business.

It was moved by Dougherty, duly seconded and carried, that Senate Bill No. 92 be taken from Committee on Appropriations and referred to Committee on Highways and Highway Transportation.

It was moved by McLeod, duly seconded and carried, that all Senate Amendments to House Bills be mimeographed and placed on the desks of the members for consideration.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 193, 240, 410 and 233, and House Joint Memorial No. 17, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

The Speaker appointed the following to act as conference committee with a like committee from the Senate on Senate Amendments to Substitute House Bill No. 3; Morrison of Lewis and Clark, McCarthy of Silver Bow and Brown of Silver Bow.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Thursday, February 9th, 1939, at 10:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

THIRTY-NINTH DAY

House of Representatives,
Helena, Montana,
February 9, 1939.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.
Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Acher, Miles, Moss (Flathead) and Woods.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-eighth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bills Nos. 116, 220, 231, 250 and 275, beg leave to recommend that the same be considered correctly engrossed.

RICE, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Affairs of Cities having had under consideration House Bill No. 404, respectfully report as follows: That House Bill No. 404 do not pass.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities having had under consideration House Bill No. 338, respectfully report as follows: That House Bill No. 338 do pass.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities having had under consideration House Bill No. 86, respectfully report as follows: That House Bill No. 86 be amended in the title by: 'adding after the words second class,' "Except cities operating under the Commission Form of Government," and amending Section 1, by adding after the words Second Class "Except cities operated under the Commission Form of Government," and amending Section 8 by striking out the words Elective City Officers and substituting the words "Officers elected at a General City Election." And as amended do pass.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities having had under consideration House Bill No. 268, respectfully report as follows: That House Bill No. 268 do not pass.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations having had under consideration House Joint Memorial No. 8, respectfully report as follows: That House Joint Memorial No. 8 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices having had under consideration House Bill No. 194, respectfully report as follows: That House Bill No. 194 do pass.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices having had under consideration House Bill No. 310, respectfully report as follows: That House Bill No. 310 do not pass.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker: We, the majority of the Labor Committee having had under consideration House Bill No. 139, respectfully report as follows: That House Bill No. 139 do not pass.

WILLIAMS,
STROMNES,
LISTUG,
ROEHL,
FRESHMAN,
ARONSON,
GEBHARDT.

Mr. Speaker: We, the minority of the Labor Committee having had under consideration House Bill No. 139, respectfully report as follows: That House Bill No. 139 be amended as follows: "In line 9 of Section 1, insert after the word 'employees' the words 'of custodial institutions.' Strike out the words, 'or any political sub-division thereof'." And as amended do pass.

SPIEGEL, Chairman.
MURRAY,
LONG,
MOSS (Custer),
BOWER,
RYAN.

It was moved by Stromnes, duly seconded, that the report of the majority be adopted. On substitute motion, it was moved by Spiegel, duly seconded, that the report of the minority be adopted. A roll call, to be entered in the Journal, was requested by the required number, and motion by Spiegel lost by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Aronson, Baker, Balgord, Brower, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, D'Ewart, Duncan, Dunn, Emswiler, Findlater, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Kellogg, Laubach, Leuthold, Liggett, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, McFatridge, Metlen, Morrison, Newell, O'Connor, Padsbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Roehl, Scofield, Stewart, Stromnes, Tyler, Vanderbeck, Watson, Williams. Total 37.

Noes: Anderson (Cascade), Beadle, Beck, Bjorneby, Bower, Brown, Cannon, Daniel, DeDobbeleer, Dougherty, Ekern, Flynn, Friedl, Hess, James, Kirscher, Lehrkind, Long, Malee, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Moss (Custer), Murray, Petersen, Ryan, Siegling, Spiegel, Stafford, Sullivan, Wenger, Wilson, Mr. Speaker. Total 53.

Absent and not voting: Acher, Armstrong, Berthot, Horrigan, Miles, Moss (Flathead), Smith, Sorte, Stevens, Woods, Zuck. Total 11.

Passed their vote: Lambert. Total 1.

Whereupon, motion by Stromnes to adopt the majority report carried.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following correctly enrolled: House Bills 67, 39, 40 and 38.

COLE, (Prairie), Chairman.

Report adopted.

I have examined House Bill No. 39 introduced by me and find the same to be correct.

METLEN.

I have examined House Bill No. 67 introduced by me and find the same to be correct.

GOODWIN.

I have examined House Bill No. 40 introduced by me and find the same to be correct.

METLEN.

I have examined House Bill No. 38 introduced by me and find the same to be correct.

METLEN.

The Speaker signed the following in open session: House Bills Nos. 67, 39, 40 and 38; and Senate Joint Memorial No. 5, Senate Bills Nos. 16 and 15.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Boards and Offices having under consideration House Bill No. 103, respectfully report as follows: That House Bill No. 103 do not pass.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices having had under consideration House Bill No. 102, respectfully report as follows: That House Bill No. 102 do not pass, but recommend that Substitute House Bill No. 102, a bill for an Act entitled: "An Act to amend Sections 4884 and 4884.1, Revised Codes of Montana, 1935, relating to mileage of members of the Legislative Assembly, State, County and Township officers and employees, jurors, witnesses and all other persons entitled to mileage; providing for liability of approving boards on their official bonds, and repealing all Acts in conflict herewith." Do pass.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Rights having had under consideration Senate Bill No. 82, respectfully report as follows: That Senate Bill No. 82 not be concurred in.

KIRSCHER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 239, respectfully report as follows: That House Bill No. 239 be amended:

That Section 5, beginning on line 32, page 1 and ending on line 15, page 2, be stricken.

And substitute in lieu thereof the following:

"Section 5. In order that the State Insurance Premium Fund may be reimbursed for unpaid premiums on State owned property insured under Chapter 179, Session Laws of 1935, the Board of Examiners shall approve for payment the amount owing as certified to it by the State Auditor and Ex-officio Insurance Commissioner, and in addition the amount of credit received from the reinsurance company December 2, 1936, to apply on

an insurance policy covering state property, said claim or claims to be paid from the current appropriations made for insurance of state property." And as amended do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 247, respectfully report as follows: That House Bill No. 247 be amended as follows:

That in line 4 and 5 the following be stricken: "An Act to appropriate Thirty Thousand (\$30,000.00) Dollars."

And in lieu thereof: "An Act to appropriate Ten Thousand (\$10,000.00) Dollars."

In line 15, the following be stricken: "That the sum of Thirty Thousand (\$30,000.00) Dollars."

And in lieu thereof: "That the sum of Ten Thousand (\$10,000.00) Dollars." And as amended do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 274, respectfully report as follows: That House Bill No. 274 do not pass.

DOUGHERTY, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker: This is to advise that the Governor has this day approved House Bill No. 280 by the Appropriations Committee, and the same has been filed with the Secretary of State and a copy thereof filed with the Clerk of the Supreme Court.

Respectfully yours,

JOHN J. JEWELL,

Secretary to the Governor.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President did on this day appoint the following committee to act with a like committee of the House to consider the concurrence of Senate amendments to Substitute House Bill No. 3: Martinson, Lott and Keeley.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 190 was upon this day in the Senate not concurred in, and is herewith returned to the House.

Respectfully,

GEORGE A. BURR,

Secretary of the Senate.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

Senate Bill No. 47 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Beck, Berthot, Bjorneby, Bower, Brower, Byrne, Clark, Cole, (Petroleum), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ems-

wiler, Findlater, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lehrkind, Leuthold, Liggett, Lippard, Listug, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, Melin, Morrison, Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Siegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Vanderbeck, Watson, Wenger, Williams, Wilson, Mr. Speaker. Total 78.

Noes: Anderson (Cascade), Beadle, Brown, D'Ewart, Flynn, Longenecker, McLeod, Ryan, Tyler. Total 9.

Absent and not voting: Acher, Cannon, Cole (Prairie), Ekern, Lambert, Laubach, Long, Metlen, Miles, Moss (Flathead), Moss (Custer), Smith Sorte, Woods, Zuck. Total 15.

Senate Amendments to House Bill No. 85 were concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Siegling, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Wilson, Mr. Speaker. Total 88.

Absent and not voting: Acher, Cannon, Cole (Prairie), Ekern, Lambert, Miles, Moss (Flathead), Rice, Smith, Sorte, Stromnes, Williams, Woods, Zuck. Total 14.

House Bill No. 116 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McKenna, McLeod, Melin, Metlen, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Mr. Speaker. Total 85.

Noes: D'Ewart, McGee, Ryan, Spiegel. Total 4.

Absent and not voting: Acher, Beck, Cannon, Cole (Prairie), Ekern, Lambert, Miles, Moss (Flathead), Smith, Sorte, Stromnes, Woods, Zuck. Total 13.

House Bill No. 220 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Berthot, Bjorneby, Bower, Brown, Clark, Collins, DeDobbeleer, D'Ewart, Duncan, Findlater, Flynn, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hoiness, Horrigan, Kellogg, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug,

Longenecker, Loughran, Lowe, Lynch, Malee, McCarthy, McFatrige, McKenna, McLeod, Metlen, Morrison, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Roehl, Scofield, Siegling, Stafford, Stevens, Sullivan, Vanderbeck, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 67.

Noes: Beck, Brower, Cole (Petroleum), Daniel, Dougherty, Dunn, Emswiler, Hess, James, Kirscher, Long, Martin, McClain, McGee, Melin, Moss (Custer), Murray, Petersen, Ryan, Spiegel, Stewart, Tyler. Total 22.

Absent and not voting: Acher, Byrne, Cannon, Cole (Prairie), Ekern, Goodwin, Miles, Moss (Flathead), Smith, Sorte, Stromnes, Watson, Woods. Total 13.

House Bill No. 231 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlin, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Spiegel, Stafford, Stevens, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Mr. Speaker. Total 82.

Noes: Beadle, Flynn, Long, O'Connor, Sullivan, Tyler. Total 6.

Absent and not voting: Acher, Byrne, Cannon, Cole (Prairie), Ekern, Hoiness, Lippard, Miles, Moss (Flathead), Smith, Sorte, Stewart, Stromnes, Woods. Total 14.

House Bill No. 250 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Berthot, Bjorneby, Brower, Brown, Byrne, Cannon, Clarke, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McKenna, Melin, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Spiegel, Stafford, Stevens, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 88.

Noes: Bower, McGee. Total 2.

Absent and not voting: Acher, Beck, Ekern, Hammond, McLeod, Metlen, Miles, Moss (Flathead), Smith, Sorte, Stewart, Woods. Total 12.

House Bill No. 275 was passed by the following vote:

Ayes: Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain,

McFatrige, McKenna, McLeod, Melin, Metlen, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Spiegel, Stafford, Stevens, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 86.

Noes: Acton, Anderson (Cascade), Balgord, Cole (Petroleum), Emswiler, O'Connor. Total 6.

Absent and not voting: Acher, Dunn, Ekern, Miles, Moss (Flathead), Smith, Sorte, Stewart, Woods. Total 9.

Passed their vote: McGee. Total 1.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Liggett in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That Substitute House Bill No. 14 do pass.

That House Bill No. 246 do pass.

That House Bill No. 240 be amended as follows: Amend the title by striking out the following words "requiring the employment of Montana labor"; and as amended, do pass.

That consideration of House Bill No. 179 be passed for the day.

That the enacting clause be stricken from House Bill No. 232.

LIGGETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 260 and Substitute House Bill 59, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that the House recess until 2:30 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

The Speaker announced that Liggett of Musselshell was excused because of illness.

SPECIAL ORDER OF BUSINESS

It was moved by Stromnes, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders.

Hoiness in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 159, under Special Order of Business, recommend: That House Bill No. 159 be amended as follows:

Amend Section Three by striking out in line forty-two and forty-five the word "companies" and inserting in lieu thereof the word "corporations";

Amend Section Nine in line 23 by adding after the word "first" the following words "or any subsequent";

Amend Section 10 by striking out in line 7 the word "therefrom" and inserting in lieu thereof the words "by such member";

Amend Section 11 by striking out in line 4 the word "member" and inserting in lieu thereof the word "trustee";

Amend Section 14 by striking out in line 29 the word "new" and inserting in lieu thereof the word "such";

Amend Section 16, line 15 by inserting the following as Sub-section 7 to-wit: "The manner and basis of converting either memberships in or shares of stock of such corporation into memberships therein after completion of the conversion"; and renumbering the present Sub-Section 7 as Sub-Section 8;

Amend Section Sixteen, line 39 by inserting after the word "co-operative" the following words: "and such articles of conversion";

Amend Section 18, line 71, by inserting after the word "dissolution" the word "and";

Amend Subdivision of Section 20, line 15 by inserting after the word "fund" the following: "which shall be not less than 2% nor more than 5% of the balance remaining";

Amend Section 23 in line 3 by adding after the word "property" the following: "then owned or after acquired";

Amend Section 23 in line 4 by adding after the word "and" the following word "which"; and amend in line 5 by adding after the word "located", the words "or is to be located"; and in line six by adding the following sentence to said section: "Recordation of any such mortgage deed of trust or other instrument shall cause the lien thereof to attach to all after acquired property of the mortgagor of the nature therein described as being mortgaged or pledged thereby immediately upon the acquisition thereof by the mortgagor and such lien shall be superior to all claims of creditors of the mortgagor and purchasers of such property and to all other liens except liens of prior record affecting such property."

Amend Section 26 by striking out in line 17 the word "of" and inserting in lieu thereof the word "or";

Amend Section 28 in line 5 by adding after the word "excise" the following: "and income taxes whatsoever."

Amend Section 29 in line 2 by adding after the word "cooperatives" the following: "and foreign corporations transacting business in this State pursuant to this Act." And as amended, do pass.

HOINESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 4, 135, 151, 198, 278, 283 and 325, House Joint Memorials Nos. 13 and 14.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 267, respectfully report as follows: That House Bill No. 267, be amended as follows:

Section 1, line 10, by striking the words "the members" and inserting in lieu thereof the words "any member".

Section 1, line 11, by inserting the word "who" immediately after the word "class".

Section 1, line 12, by striking the words and figures thirty-five (35) and inserting in lieu thereof the words and figures thirty-eight (38).

Section 1, line 14, by inserting a comma after the word "whatever" and striking the words "that he".

Section 2, line 19, by adding "s" to the word "work" and adding the word "employees" so as to cause the same to read "water works employees".

Section 3, by striking the period at the end of said section and inserting in lieu thereof a semi-colon, and adding the following context: "or for the purpose of paying the salaries of water works employees who have been placed upon the reserve list, the city or town council may pay from the water fund such sum or sums as may be necessary for the expenditures herein provided for."

Amend Section 4 by striking the entire section and inserting in lieu thereof the following: "Section 4. All Acts and parts of Acts in conflict herewith are hereby repealed."

By adding a new section, Section 5, to read as follows: "This Act shall be in full force and effect from and after its passage and approval."

And as so amended, House Bill No. 267 do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, a majority of your Committee on Revenue and Taxation having had under consideration House Bill No. 23, respectfully report as follows: That House Bill No. 23 do pass.

PADBURY,
BALGORD,
SIEGLING,
SCOFIELD,
WATSON,
LISTUG,
HAMMOND,
VANDERBECK,
O'CONNOR.

Mr. Speaker: We, a minority of your Committee on Revenue and Taxation having had under consideration House Bill No. 23, respectfully report as follows: That House Bill No. 23 do not pass.

PETERSEN,
LEHRKIND.

It was moved by O'Connor, duly seconded, that the report of the majority be adopted. On substitute motion, it was moved by Petersen, duly seconded, that the report of the minority be adopted. Motion was lost. Whereupon motion to adopt the majority report was adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration Senate Bill No. 92, respectfully report as follows: That Senate Bill No. 92 be amended by inserting after the word "reduced" in line 8, Section 4, page 7, the following words: "nor any part thereof diverted to any other purpose than as at present provided by law."

And as amended do pass.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security having had under consideration House Bill No. 256, respectfully report as follows: That House Bill No. 256 do pass.

BYRNE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 221, respectfully report as follows: That House Bill No. 221 be amended as follows:

Section 2 by adding after the period in line 3 on page 2, the following words: Provided, however, that itinerant cosmetologists shall not be construed to include itinerant cosmetologists who perform their services without compensation for demonstration purposes, in any regularly established store or place of business, holding a license from the State of Montana as such store or place of business. Section 3 of the bill on page 4, line 9, by striking out the word and following the word school, and inserting the word or. Section 12 of the bill on page 10, line 13, by striking out the words Five Dollars (\$5.00) and inserting in lieu thereof the words Ten Dollars (\$10.00). Section 14 of the Bill on page 11, line 14, by adding, after the words itinerant cosmetologist, the words as herein defined, Section 3 of the bill on page 2, line 15, by striking out the words have two years of high school education or equivalent thereof, and inserting in lieu thereof the words a graduate of the eighth grade school. Section 3, page 4, line 10, by adding after the period the following words: "Provided, however, that there shall not be more than fifteen students to each such teacher."

And as amended do pass.

GOODWIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor having had under consideration House Bill No. 321, respectfully report as follows: That House Bill No. 321 do not pass.

It was moved by Spiegel, duly seconded, that the report of the Committee be adopted. On substitute motion, it was moved by Martin, duly seconded, that House Bill No. 321 be printed and placed on General Orders. As a substitute motion for all motions pending, it was moved by Strommes, duly seconded and carried, that consideration of House Bill No. 321 be indefinitely postponed.

Mr. Speaker: We, your Committee on Social Security having had under consideration House Bill No. 248, respectfully report as follows: That House Bill No. 248 do not pass.

BYRNE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security having had under consideration House Bill No. 276, respectfully report as follows: That House Bill No. 276 do not pass.

BYRNE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 349, respectfully report as follows: That House Bill No. 349 do not pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration House Bill No. 128, respectfully report as follows: That House Bill No. 128 do not pass, but that Sub-

stitute House Bill No. 128 entitled: "An Act relating to the licensing of persons operating motor vehicles upon highways and make uniform the laws relating thereto for the purpose of securing a greater safety to the lives and persons of the public generally of the State of Montana and providing penalties for the violation of the provisions thereof." And that the same do pass.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture having had under consideration House Bill No. 382, respectfully report as follows: That House Bill No. 382 do pass.

DeDOBBELEER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities having had under consideration House Bill No. 163, respectfully report as follows: That House Bill No. 163 be reported out without recommendation.

It was moved by McClain, duly seconded, that the report of the Committee be adopted. On substitute motion, it was moved by Metlen, duly seconded and carried, that House Bill No. 163 be printed and placed on General Orders with the following amendments:

Amend the title by: Inserting the word "a" after the word "where".

Inserting the words "of the third class, or a town" after the word "city".

Inserting the word "a" after the word "operates".

Amend Section 1: Line 14; stike out the word "the" and insert the word "a".

After the word "city" insert the words "of the third class".

After the word "or" insert the word "a".

Line 23; strike out the word "any" and insert the words "the third".

After the word "or" insert the word "a".

Mr. Speaker: We, your Committee on State Boards and Offices having had under consideration House Bill No. 259, respectfully report as follows: That House Bill No. 259 do pass.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices having had under consideration House Bill No. 127, respectfully report as follows: That House Bill No. 127 be amended as follows:

Section 9, page 5, line 10 by adding after the word "same," the following words: "at a cost of not less than one cent or more than five cents per acre per annum," Section 11, page 5, line 26, add to end of paragraph "which shall not exceed the maximum hereinbefore specified." Section 11, page, 6, line 2, add to end of paragraph "which shall not exceed the maximum hereinbefore specified."

And as amended do pass.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game having had under consideration House Bill No. 359, respectfully report as follows: That House Bill No. 359 do pass.

MALEE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game having had under consideration House Bill No. 243, respectfully report as follows: That House Bill No. 243 do not pass.

MALEE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game having had under consideration House Bill No. 401, respectfully report as follows: That House Bill No. 401, do not pass.

MALEE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game having had under consideration House Bill No. 376, respectfully report as follows: That House Bill No. 376 do not pass.

MALEE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game having had under consideration House Bill No. 361, respectfully report as follows: That House Bill No. 361 do pass.

MALEE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game having had under consideration House Bill No. 368, respectfully report as follows: That House Bill No. 368 do not pass.

MALEE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game having had under consideration House Bill No. 366, respectfully report as follows: That House Bill No. 366 be amended as follows:

On page two, beginning in line seven, after the word Meridian, insert period and quotation marks, and strike out the words "and sections eighteen (18), nineteen (19) and thirty (30) in township seventeen (17) north, range twenty-seven (27) west of the Montana Principal Meridian." And as amended do pass.

MALEE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game having had under consideration House Bill No. 230, respectfully report as follows: That House Bill No. 230 do pass as amended:

That the following be added to Section 1:

"Provided that nothing herein shall be considered as giving consent to the purchase or acquisition of lands by the United States or by any of its departments or officers for establishing migratory bird sanctuaries under the Migratory Bird Conservation Act of the United States, or otherwise, and that the title to all lands acquired under the provisions of this Act for wild life restoration projects shall be and remain in the State of Montana." Do pass.

It was moved by Malee, duly seconded and carried, that House Bill No. 230 be re-referred to the Committee on Fish and Game.

MOTIONS AND RESOLUTIONS

It was moved by Zuck, duly seconded, that House Bill No. 227 be taken from General Orders and re-referred to the Committee on Agricul-

ture. On substitute motion, it was moved by D'Ewart, duly seconded, that House Bill No. 227 be laid on the table. Motion was lost. Whereupon motion by Zuck carried.

It was moved by Dunn, duly seconded and carried, that House Bills Nos. 27 and 52 be recalled from the Governor's office for correction on the history of said bills.

It was moved by Hoiness, duly seconded and carried, that the Chief Clerk be instructed to correct House Bill No. 278 by underlining the amendatory matter in said bill as follows:

On line 4 of the printed bill, underline the word "amortized."

On lines 6 and 7 of the printed bill, underline the following: "nor run for a longer period than five years."

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker: This is to advise that the Governor has this day approved; House Bill No. 37 by Committee on Revenue and Taxation; House Joint Memorial No. 7 by Hoiness, et al., and the same has been filed in the office of the Secretary of State and a copy thereof filed with the Clerk of the Supreme Court.

Respectfully yours,

JOHN J. JEWELL,

Secretary to the Governor.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bills Nos. 70, 99, 17, 88, 64, 40, 112, 103, 105, 90, 111, and 23; also Senate Joint Memorial No. 12, having been read three several times, title and history agreed to, and passed, are herewith transmitted to the House for concurrence.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 46 and 51, having been read three several times, title and history agreed to and concurred in are herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 29, having been read three several times and concurred in as amended, is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

GEORGE A. BURR,

Secretary of the Senate.

INTRODUCTION OF BILLS

The following were introduced, read first and second time and referred to committees:

Senate Bill No. 70: Introduced by Kathan: A Bill for an Act entitled: "An Act to amend Section 662 of the Revised Codes of Montana, 1935, relating to the County and City Central Committeemen, how elected." Referred to Committee on Elections and Privileges.

Senate Bill No. 99: Introduced by Committee on Agriculture: A Bill for an Act entitled: "An Act to amend the following sections of the Revised Codes of Montana, 1935, namely, Section 4208.2, relating to statement required on mixed fertilizer container; Section 4208.6, relating to samples of commercial fertilizer for tests and analyses; Section 4208.7, relating to the method of taking and preserving samples of commercial fertilizer and the manner of analyzing; Section 4208.9, relating to the report of analyses of commercial fertilizer and the payment of expenses;

Section 4208.10, relating to report of the chemist concerning analyses, fees, expenditures and disposal of surplus license fees." Referred to Committee on Agriculture.

Senate Bill No. 17: Introduced by Smith: A Bill for an Act entitled: "An Act to amend Section 6355.13 of the Revised Codes of Montana, 1935, relating to the powers and duties of building and loan associations by increasing the percentage of real estate value that may be loaned on mortgages and to enlarge the powers of such associations to invest their money." Referred to Committee on Banks and Banking.

Senate Bill No. 88: Introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to amend Section 5278.10 of the Revised Codes of Montana of 1935, prescribing the qualifications of persons entitled to vote at city and town bond elections for closing of registration books and for preparation of lists of qualified electors and poll books and repealing Section 5199.2 of the Revised Codes of Montana of 1935 and all Acts and parts of Acts in conflict herewith." Referred to Committee on Privileges and Elections.

Senate Bill No. 64: Introduced by Committee on Counties and Towns: A Bill for an Act entitled: "An Act to amend Section 6014.79, Revised Codes of Montana, 1935, relating to the payments to be made by each city or town and additional payments to be made by each city or town owning or operating a water works plant or system, or water works distributing system." Referred to Committee on Affairs of Cities.

Senate Bill No. 40: Introduced by Pauline: A Bill for an Act entitled: "An Act relating to hours of work of members of the paid fire departments of cities of the second class; providing a minimum compensation for members of paid fire departments of cities of the second class; providing for penalties for the violation thereof; and providing for, in addition to a paid fire department, a volunteer fire department and repealing all Acts or parts of Acts in conflict therewith and amending Chapter 200 of the laws of the 25th Legislative Assembly of the State of Montana." Referred to Committee on Affairs of Cities.

Senate Bill No. 112: Introduced by Foor and Simmons: A Bill for an Act entitled: "An Act to amend Section 9631 of the Revised Codes of Montana of 1935 relating to summons, how issued, directed, and what to contain, and to amend Section 9664 of the Revised Codes of Montana of 1935, as amended by Chapter 34 of the Twenty-fifth Legislative Assembly of the State of Montana, 1937, relating to judgment when defendant fails to appear, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 103: Introduced by Committee on Horticulture: A Bill for an Act entitled: "An Act to amend Section 4265.1, Revised Codes of Montana, 1935, relating to grades of apples." Referred to Committee on Horticulture.

Senate Bill No. 105: Introduced by Committee on Horticulture: A Bill for an Act entitled: "An Act to amend Section 3626, Revised Codes of Montana, 1935, relating to the sale of infected or diseased fruits or vegetables." Referred to Committee on Horticulture.

Senate Bill No. 90: Introduced by Committee on Horticulture: A Bill for an Act entitled: "An Act to amend Section 3617 Revised Codes of Montana, 1935, relating to infected orchards, trees, shrubs, plants or vines." Referred to Committee on Horticulture.

Senate Bill No. 111: Introduced by Ecton and Simmons: A Bill for an Act entitled: "An Act to amend Section 11737 of the Revised Codes of Montana of 1935, relating to what peace officers warrants are to be directed, when and how executed in another county, executed by what officers and arrest, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 23: Introduced by Mulholland and Pauline: A Bill for an Act entitled: "An Act prescribing the hours of service for persons operating or driving commercial motor trucks, or tractors, upon the public streets or highways of the State of Montana; providing penalties for a violation thereof and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Highways.

Senate Joint Memorial No. 12: Introduced by Swertelle, Metzger, McQuitty: "A Memorial in relation to the construction of a water conservation project in the valley of the Musselshell river, known as Dead Man's Basin or Lower Musselshell project." Referred to Committee on Water Conservation and Flood Control.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Hoiness in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration, the following, recommend: That House Bills Nos. 215, 272, 292, and 395 do pass.

That House Bill No. 399 be amended as follows: Amend by inserting after the enacting clause, the following: "Section 1. That Section 349.3 of the Revised Codes of Montana, be and the same is hereby amended to read as follows:", and as amended, do pass.

That House Bill No. 405 do pass.

That consideration of Substitute House Bill No. 15 be passed for the day.

That Substitute for House Bill No. 53 do pass.

That House Bill No. 363 do pass.

HOINESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 254, 115, 104, 192, 43, 213 and 194 beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 245, respectfully report as follows: That House Bill No. 245 do pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 320, respectfully report as follows: That House Bill No. 320 do pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 244, respectfully report as follows: That House Bill No. 244 do pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 228, respectfully report as follows: That House Bill No. 228 be referred to the Judiciary Committee for interpretation of legality.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 265, respectfully report as follows: That House Bill No. 265 be referred to the Judiciary Committee, for interpretation as to whether this bill is an appropriation.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 255, respectfully report as follows: That House Bill No. 255 do pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 390, respectfully report as follows: That House Bill No. 390 do pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 241, respectfully report as follows: That House Bill No. 241 be amended as follows:

In line 26 strike out words "set aside" and substitute therefor "sustain." And as amended do pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 214, respectfully report as follows: That House Bill No. 214 be amended as follows:

Strike out in line 6, page 3, the period (.) and insert the following: "provided further, however, that before making any such purchase the Board shall duly pass a resolution declaring such lands, to be purchased necessary for school purposes of said District, and provide for the purchase thereof; provided further that notice of the meeting at which said resolution is to be considered for final adoption and of the proposed passage of said resolution shall be given as provided by law for notices of election of trustees, at which meeting the electors of said District shall have the right to be present and to protest the passage of said resolution. If at the hearing on such resolution protests against the adoption of the same shall be made and the Board of Trustees shall adopt the same over such protests, the resolution shall not become effective for fifteen (15) days after the date of its adoption, during which time any taxpayer or taxpayers may appeal to the district court by filing with the clerk of such court a verified petition, a copy of which shall theretofore have been served upon the clerk or secretary of the Board of Trustees. Said petition shall set forth in detail the objections of the petitioners to the adoption of such resolution or to the purchase of the property as provided for in said resolution. The service and filing of said petition shall operate to stay such resolution until final determination of the matter by the court. Upon the filing of such petition the court shall immediately fix a time for hearing the same which shall be at the earliest convenient time. At such hearing the court shall hear the matter de novo and may take

such testimony as it deems necessary. Its proceedings shall be summary and informal and its determination shall be final." And as amended do pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game having had under consideration House Bill No. 230, respectfully report as follows: That House Bill No. 230 be amended as follows: To the end of Section 1 add:

"Provided that nothing herein shall be considered as giving consent to the purchase or acquisition of lands by the United States or by any of its departments or officers for establishing migratory bird sanctuaries under the Migratory Bird Conservation Act of the United States, or otherwise, and that the title to all lands acquired under the provisions of this Act for wild life restoration projects shall be and remain in the State of Montana." And as Amended do pass.

MALEE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game having had under consideration House Bill No. 205, respectfully report as follows: That House Bill No. 205 do pass.

MALEE, Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Friday, February 10th, 1939, at 10:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

FORTIETH DAY

House of Representatives,
Helena, Montana,
February 10, 1939.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members were present except the following who were excused: Acher, McCarthy, Moss (Flathead) and Woods.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-ninth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 189, respectfully report as follows: That House Bill No. 189 do not pass.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 294, respectfully report as follows: That House Bill No. 294 do not pass.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 121, 240, 215 and 246.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bills Nos. 272, 292, 395 and Substitute House Bill No. 53, beg leave to recommend that the same be considered correctly engrossed.

RICE, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

Mr. Speaker: In compliance with the order of the House, I am herewith returning to you House Bill No. 52 and House Bill No. 27.

Yours truly,

JOHN J. JEWELL,

Secretary to the Governor.

MOTIONS AND RESOLUTIONS

It was moved by Hoiness, duly seconded and carried, that consideration of House Bill No. 101 be passed for the day.

It was moved by Friedl, duly seconded and carried, that Substitute House Bill No. 102 be taken from the Committee on Printing and referred to State Boards and Offices.

It was moved by Friedl, duly seconded and carried, that the House reconsider its action on House Bill No. 103.

It was moved by Friedl, duly seconded and carried, that House Bill No. 103 be referred to State Boards and Offices.

It was moved by Lehrkind, duly seconded and carried, that House Bill No. 352 be taken from Committee on Highways and Highway Transportation and referred to the Committee on Revenue and Taxation.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows: All appropriation measures having been read at length:

House Bill No. 4, introduced by Ryan and Cannon, being a Constitutional Amendment, and having been read three several times, was passed by the necessary two-thirds vote of the entire membership of the House as required by Section 9 of Article 19 of the State Constitution, and in compliance with the provisions thereof, the bill is set forth in its entirety as follows:

House Bill No. 4, introduced by Ryan and Cannon: A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section One (1) of Article Eighteen (18) of the Constitution of the State of Montana, relating to the Bureau of Agriculture and/or Bureau of Labor and Industry."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section One (1) of Article Eighteen (18) of the Constitution of the State of Montana, be amended as hereinafter provided, and that the question of such amendment be submitted to the qualified

electors of the State of Montana at the general election to be held in November, 1940.

Section 2. That Section One (1) of Article Eighteen (18) of the Constitution, be, and the same is hereby amended to read as follows:

"Section 1. The legislative assembly may provide for a bureau of agriculture, and a bureau of labor and industry, to be located at the capitol and each shall be under the control of a commissioner appointed by the governor subject to the confirmation of the senate. Each commissioner shall hold office for four (4) years, and until his successor is appointed and qualified; his compensation shall be as provided by law."

Section 3. This amendment shall be submitted to the qualified electors of the State of Montana by being placed on the official ballot, provided by Section 678, Revised Codes of Montana, 1935, and as provided by law, and there shall be printed on such ballot the title of this Act and the following words.

- ☐ For the above written amendment to the Constitution.
- ☐ Against the above written amendment to the Constitution.

Each elector shall designate his preference by marking an "X" in the square before the proposition for which such elector desires to vote.

Section 4. The vote cast for and against the amendment above proposed shall be canvassed, determined and declared as provided by the general election laws of the State of Montana.

Section 5. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 6. This Act shall take effect and be in full force from and after its passage and approval.

House Bill No. 4 was passed by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Byrne, Cannon, Cole, (Prairie), Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Laubach, Liggett, Lippard, Listug, Long, Loughran, Lowe, Lynch, Malee, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlin, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson and Mr. Speaker. Total 74.

Noes: Acton, Clark, Cole (Petroleum), Collins, Dunn, Emswiler, Green, Lehrkind, Longenecker, Martin, and O'Connor. Total 11.

Absent and not voting: Acher, Antrim, Armstrong, Brower, Ekern, Findlater, Lambert, Leuthold, McCarthy, Miles, Morrison, Moss (Flathead), Roehl, Stewart, Stromnes, Woods and Zuck. Total 17.

House Bill No. 135 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Kirscher, Laubach, Lehrkind, Liggett, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Moss (Custer), Murray, Newell,

O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Mr. Speaker. Total 83.

Noes: Green and Long. Total 2.

Absent and not voting: Acher, Antrim, Armstrong, DeDobbeleer, Findlater, Hess, Lambert, Leuthold, McCarthy, Metlen, Morrison, Moss (Flathead), Roehl, Stewart, Stromnes, Woods and Zuck. Total 17.

House Bill No. 151 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Laubach, Lehrkind, Liggett, Lippard, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams and Mr. Speaker. Total 83.

Noes: Beck, O'Connor and Wilson. Total 3.

Absent and not voting: Acher, Antrim, Armstrong, Findlater, Lambert, Leuthold, Listug, McCarthy, Metlen, Moss (Flathead), Petersen, Roehl, Stewart, Stromnes, Woods and Zuck. Total 16.

House Bill No. 198 was passed by the following vote:

Ayes: Acton, Anderson (Cascade), Baker, Balgord, Beadle, Bjerneby, Bower, Brower, Brown, Cannon, Collins, Flynn, Freshman, Gebhardt, Goodwin, Hammond, Hoiness, Lehrkind, Liggett, Long, Loughran, Malee, McClain, McFatrige, McGee, McLeod, Moss (Custer), Murray, Padbury, Parker (Flathead), Reed, Rice, Roehl, Ryan, Siegling, Smith, Sorte, Spiegel, Stevens, Sullivan, Watson, Wenger, Williams and Zuck. Total 44.

Noes: Anderson (Phillips), Aronson, Beck, Berthot, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Friedl, Green, Hageman, Hess, Horrigan, James, Kellogg, Kirscher, Laubach, Lippard, Longenecker, Lowe, Lynch, Martin, McKenna, Melin, Miles, Morrison, Newell, O'Connor, Parker (Wibaux), Petersen, Potter, Tyler, Vanderbeck, Wilson and Mr. Speaker. Total 40.

Absent and not voting: Acher, Antrim, Armstrong, D'Ewart, Ekern, Findlater, Lambert, Leuthold, Listug, McCarthy, Metlen, Moss (Flathead), Stewart, Stromnes and Woods. Total 15.

Passed their vote: Emswiler, Scofield and Stafford. Total 3.

House Bill No. 278 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Kirscher, Liggett, Lippard, Listug, Longenecker, Loughran, Lowe, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Miles, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter,

Reed, Rice, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson and Mr. Speaker. Total 81.

Noes: Long. Total 1.

Absent and not voting: Acher, Antrim, Armstrong, Findlater, Hess, Lambert, Laubach, Lehrkind, Leuthold, Lynch, Metlen, Morrison, Moss (Flathead), O'Connor, Roehl, Smith, Stewart, Stromnes, Woods and Zuck. Total 20.

House Bill No. 283 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Laubach, Liggett, Lippard, Listug, Long, Loughran, Lowe, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Moss (Flathead), Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Sullivan, Tyler, Watson, Wenger, Williams, Wilson and Mr. Speaker. Total 81.

Absent and not voting: Acher, Antrim, Armstrong, Dougherty, Findlater, Kirscher, Lambert, Lehrkind, Leuthold, Longenecker, Lynch, Metlen, Morrison, O'Connor, Rice, Roehl, Stewart, Stromnes, Vanderbeck, Woods, Zuck. Total 21.

House Bill No. 325 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Lippard, Listug, Long, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Sullivan, Tyler, Watson, Wenger, Williams, Wilson and Mr. Speaker. Total 83.

Absent and not voting: Acher, Antrim, Armstrong, Dougherty, Findlater, Hammond, Lehrkind, Leuthold, Longenecker, Metlen, Morrison, Moss (Flathead), Parker (Flathead), Roehl, Stewart, Stromnes, Vanderbeck, Woods and Zuck. Total 19.

Senate Amendments to House Bill No. 27 were concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, D'Ewart, Dunn, Ekern, Emswiler, Flynn, Freshman, Friedl, Gebhardt, Green, Hageman, Hess, Hoiness, Horrigan, James, Kellogg, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson and Mr. Speaker. Total 79.

Noes: Duncan, Long, Murray and Ryan. Total 4.

Absent and not voting: Acher, Antrim, Armstrong, DeDobbeleer, Dougherty, Findlater, Goodwin, Hammond, Kirscher, Leuthold, Metlen, Morrison, Moss (Flathead), Parker (Flathead), Roehl, Stewart, Stromnes, Woods and Zuck. Total 19.

Senate Amendments to House Bill No. 52 were concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, Horrigan, James, Kellogg, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck and Mr. Speaker. Total 84.

Absent and not voting: Acher: Antrim, Armstrong, Cannon, DeDobbeleer, Dougherty, Freshman, Hammond, Kirscher, Leuthold, Metlen, Miles, Moss, (Flathead), Parker (Flathead), Smith, Stevens, Stromnes and Woods. Total 18.

House Joint Memorial No. 13 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Daniel, DeDobbeleer, Emswiler, Findlater, Flynn, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Kellogg, Lambert, Laubach, Liggett, Listug, Long, Longenecker, Loughran, Malee, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Miles, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Spiegel, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Zuck and Mr. Speaker. Total 66.

Noes: Collins, D'Ewart, Dougherty, Duncan, Ekern, Hess, Hoiness, Horrigan, James, Kirscher, Lehrkind, Lippard, Lowe, Lynch, McFatridge, Melin, Morrison, O'Connor, Sorte and Vanderbeck. Total 20.

Absent and not voting: Acher, Antrim, Armstrong, Berthot, Cole (Prairie), Dunn, Freshman, Leuthold, Metlen, Moss (Flathead), Potter, Stevens, Stewart, Stromnes and Woods. Total 15.

Passed their vote: Stafford. Total 1.

House Joint Memorial No. 14 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Lippard, Listug, Loughan, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stevens, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Brower, McLeod, Mr. Speaker. Total 82.

Noes: D'Ewart and Flynn. Total 2.

Absent and not voting: Acher Anderson (Cascade), Antrim, Armstrong, Byrne, Findlater, Lehrkind, Leuthold, Long, Longenecker, Melin, Metlin, Moss (Flathead), Roehl, Stewart, Stromnes and Woods. Total 17.

Passed their vote: Stafford. Total 1.

House Bill No. 272 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Aronson, Baker, Balgord, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Stafford, Stevens, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck and Mr. Speaker. Total 85.

Noes: Anderson (Cascade), Beadle, Cannon, Long, McLeod, Murray, Ryan, Spiegel. Total 8.

Absent and not voting: Acher, Antrim, Armstrong, Lehrkind, Leuthold, Metlen, Stewart, Stromnes and Woods. Total 9.

House Bill No. 292 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Miles, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck and Mr. Speaker. Total 89.

Noes: Anderson (Cascade). Total 1.

Absent and not voting: Acher, Antrim, Armstrong, Dougherty, Kirscher, Leuthold, Malee, Martin, Morrison, Moss (Flathead), Stromnes and Woods. Total 12.

House Bill No. 395 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Ekern, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Stafford, Stevens, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Zuck and Mr. Speaker. Total 82.

Noes: Cole (Petroleum), Emswiler and Spiegel. Total 3.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Armstrong, Dunn, Lehrkind, Leuthold, Lippard, Malee, Melin, Metlen, Moss (Flathead), Parker (Flathead), Stewart, Stromnes, Vanderbeck and Woods. Total 17.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 247, 259, 338 and House Joint Memorial No. 8, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 289, respectfully report as follows: That House Bill No. 289 do pass.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 341, respectfully report as follows: That House Bill No. 341 do not pass.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 90, respectfully report as follows: That House Bill No. 90 do not pass.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 265, respectfully report as follows: That House Bill No. 265 do not pass.

SMITH, Vice-Chairman.

It was moved by Smith, duly seconded, that the report of the Committee be adopted.

On substitute motion, it was moved by Smith, duly seconded and carried, that House Bill No. 265 be re-referred to the Committee on Judiciary.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 335, respectfully report as follows: That House Bill No. 335 do pass.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 392, respectfully report as follows: That House Bill No. 392 do not pass.

SMITH, Vice-Chairman.

It was moved by Smith, duly seconded, that the report of the Committee be adopted.

On substitute motion, it was moved by McLeod, duly seconded, that House Bill No. 392 be printed and placed on General Orders.

As a substitute motion for all motions pending, it was moved by Byrne, duly seconded and carried, that further consideration of House Bill No. 392 be indefinitely postponed.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 345, respectfully report as follows: That House Bill No. 345 do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 346, respectfully report as follows: That House Bill No. 346 do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 42, respectfully report as follows: That House Bill No. 42 do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 191, respectfully report as follows: That House Bill No. 191 do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 108, respectfully report as follows: That House Bill No. 108 do not pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 223, respectfully report as follows: That House Bill No. 223 do not pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 329, respectfully report as follows: That House Bill No. 329 do pass.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 171, respectfully report as follows: That House Bill No. 171 do not pass.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 409, respectfully report as follows: That House Bill No. 409 do pass.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 211, respectfully report as follows: That House Bill No. 211 be referred to the Committee on Constitutional Amendments.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 206, respectfully report as follows: That House Bill No. 206 do pass.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 200, respectfully report as follows: That House Bill No. 200 be amended as follows:

Amend Subsection "A" by deleting the word "within" and substituting therefor the words "with in".

By striking subsection "F" and substituting the following:

"To purchase sites and buildings or to purchase sites and construct buildings for armory purposes, provided that the board of County Commissioners of the county wherein said site or building is to be purchased or a building constructed, shall give their written approval of said purchase or construction."

Amend Section 5 by adding after the word "Act" a comma, and then the following:

"Provided that any and all expense claims shall be verified and be accompanied by vouchers and shall be approved by the Chairman of said Board of Directors before payment."

By adding a new sentence to Section 6 to read as follows:

"The State of Montana shall become liable for no obligations whatsoever under this Act." And as amended do pass.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 314, respectfully report as follows: That House Bill No. 314 do pass.

SORTE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 391, respectfully report as follows: That House Bill No. 391 do not pass.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 10, respectfully report as follows: That House Bill No. 10 do not pass, and that Substitute House Bill No. 10: Introduced by Committee on Privileges and Elections: A Bill for an Act entitled: "An Act permitting Boards of County Commissioners to provide at their option additional judges and clerks of election for the purpose of counting and tabulating votes and defining the duties and powers of the judges and clerks in each precinct containing one hundred and fifty or more registered voters, provided said precincts do not use voting machines." Do pass.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following correctly enrolled: House Bills Nos. 46 and 45, and Substitute House Bill No. 51.

COLE, Vice-Chairman.

Report adopted.

I have examined House Bill No. 46 introduced by me and find the same to be correct.

METLEN.

I have examined House Bill No. 45 introduced by me and find the same to be correct.

METLEN.

I have examined Substitute House Bill No. 51 introduced by me and find the same to be correct.

TYLER.

MOTIONS AND RESOLUTIONS

It was moved by Hammond, duly seconded and carried, that House Bills Nos. 156 and 157 be taken from General Orders and referred to the committee on State Lands.

It was moved by O'Connor, duly seconded and carried, that consideration of House Bill No. 260 be passed for the day.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows: All appropriation measures having been read at length.

House Bill No. 121 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Byrne, Cannon, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Lambert, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McClain, McKenna, McLeod, Melin, Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Williams, Wilson, Zuck, and Mr. Speaker. Total 78.

Noes: McGee. Total 1.

Absent and not voting: Acher, Armstrong, Brown, Clark, Dougherty, Freshman, Friedl, Hess, Kirscher, Laubach, Lehrkind, Lippard, McCarthy, McFatrige, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer), O'Connor, Stromnes, Wenger and Woods. Total 23.

House Bill No. 240 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Byrne, Cannon, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Miles, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Williams, Wilson, Zuck and Mr. Speaker. Total 87.

Absent and not voting: Acher, Armstrong, Brown, Clark, Dougherty, Friedl, Lippard, McCarthy, Metlen, Morrison, Moss (Flathead), O'Connor, Stromnes, Wenger and Woods. Total 15.

Substitute House Bill No. 53 was passed by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Byrne, Cannon, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Watson, Williams, Wilson, Zuck and Mr. Speaker. Total 86.

Absent and not voting: Acher, Acton, Brown, Clark, Freshman, Lippard, McCarthy, Metlen, Morrison, Moss (Flathead), O'Connor, Parker (Flathead), Stromnes, Vanderbeck, Wenger, Woods. Total 16.

House Bill No. 215 was passed by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Byrne, Cannon, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Miles, Moss, (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Watson, Williams, Wilson, Zuck, Brower, and Mr. Speaker. Total 87.

Absent and not voting: Acher, Acton, Brown, Clark, Freshman, Lippard, McCarthy, Morrison, Moss (Flathead), Parker (Flathead), Stromnes, Tyler, Vanderbeck, Wenger and Woods. Total 15.

House Bill No. 246 was passed by the following vote:

Ayes: Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McClain, McGee, McKenna, Melin, Metlen, Miles, Moss (Flathead), Moss (Custer), O'Connor, Padbury, Parker (Wibaux), Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Williams, Zuck and Mr. Speaker. Total 84.

Noes: Newell and Wilson. Total 2.

Absent and not voting: Acher, Acton, Anderson (Cascade), Brown, Freshman, Lippard, McCarthy, McFatridge, McLeod, Morrison, Murray, Parker, (Flathead), Petersen, Stromnes, Wenger and Woods. Total 16.

It was moved by McLeod, duly seconded and carried, that the House recess until 3:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration Senate Bill No. 17, respectfully report as follows: That Senate Bill No. 17 be concurred in.

BERTHOT, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Joint Memorial No. 11, having this day been read three several times, title and history agreed to and concured in, is herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate on this day failed to concur in House Bill No. 6 and the same is herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 126 and House Bill No. 73, having been read three several times, title and history agreed to as amended, are herewith returned to the House for concurrence of Senate amendments.

Respectfully,

GEORGE A. BURR,

Secretary of the Senate.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole, for consideration of General Orders, under the rules of the previous sitting.

Sorte in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That Substitute House Bill No. 59 do pass.

That House Bill No. 23 be amended as follows: Amend the title by striking out the last three words "Retailers' Licenses Taxes and inserting in lieu thereof the words "Miners' License Tax."; and as amended, do pass.

SORTE, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 10, respectfully report as follows: That Senate Joint Memorial No. 10 be concurred in.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 8, respectfully report as follows: That Senate Joint Memorial No. 8 be concurred in.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 6, respectfully report as follows: That Senate Joint Memorial No. 6 be concurred in.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 7, respectfully report as follows: That Senate Joint Memorial No. 7 be concurred in.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, our Committee on Privileges and Elections, having had under consideration Senate Bill No. 19, respectfully report as follows: That Senate Bill No. 19 be amended as follows: "In line 3 of paragraph II of Section E after the semi-colon (;) insert the words 'clerk of district court'." Be reported without recommendation.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 178, respectfully report as follows: That House Bill No. 178 do not pass.

TYLER, Chairman.

It was moved by Tyler, duly seconded, that the report be adopted.

On substitute motion, it was moved by Metlen, duly seconded and carried, that House Bill No. 178 be printed and placed on General Orders.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 269, respectfully report as follows: That House Bill No. 269 do not pass.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 290, respectfully report as follows: That House Bill No. 290 do not pass.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 72, respectfully report as follows: That House Bill No. 72 be amended as follows:

That everything in Section 1, after the period after the word "initiative" in line 16, down to and including the period after the word "Montana" in line 21, be deleted and that there shall be substituted therefor the following:

"Provided no person shall circulate such a petition who is not a qualified elector in the county where such petition is circulated, and before circulating such a petition he must secure a certificate from the County Clerk and Recorder of the county wherein such petition is to be circulated authorizing him to circulate same, and before said petition shall be filed, he shall sign an affidavit to the effect that each and every person whose name appears thereon, signed said petition in his presence." And as amended do pass.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 258, respectfully report as follows: That House Bill No. 258 be amended as follows:

Section 1, line 13, after the word "any" and before the word "action", insert the words "civil or criminal", and as amended do pass.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 386, respectfully report as follows: That House Bill No. 386 do not pass.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 330, respectfully report as follows: That House Bill No. 330 do not pass.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 14, respectfully report as follows: That Senate Bill No. 14 be concurred in.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 379, respectfully report as follows: That House Bill No. 379 do not pass.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 304, respectfully report as follows: That House Bill No. 304 be referred to Fish and Game Committee.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 10, respectfully report as follows: That Senate Bill No. 10 be concurred in.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 265, respectfully report as follows: That House Bill No. 265, in accordance with the request of the committee on Education, is in effect an appropriation measure and we recommend that it be re-referred to the Committee on Education for disposition.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Dairying, having had under consideration House Bill No. 201, respectfully report as follows: That House Bill No. 201 do pass.

PETERSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Dairying, having had under consideration House Bill No. 308, respectfully report as follows: That House Bill No. 308 do not pass.

PETERSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Dairying, having had under consideration House Bill No. 367, respectfully report as follows: That House Bill No. 367 do not pass.

PETERSEN, Chairman.

It was moved by Petersen, duly seconded, that the report be adopted.

On substitute motion, it was moved by McGee, duly seconded, that House Bill No. 367 be printed and placed on General Orders.

It was moved by Longenecker, duly seconded and carried, that the motion by McGee, be laid on the table.

Mr. Speaker: We, your Committee on Dairying, having had under consideration House Bill No. 142, respectfully report as follows: That House Bill No. 142 do not pass.

PETERSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Dairying, having had under consideration House Bill No. 317, respectfully report as follows: That House Bill No. 317 be amended as follows:

After subsection "(h)" of Section 4, page 4, insert a new section to be designated as "(i)" and to read as follows:

"(i) The price schedules shall be minimum prices, and nothing in this act shall prevent a higher price." And as amended do pass.

PETERSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 64, respectfully report as follows: That Senate Bill No. 64 be not concurred in.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 86, 256, 359, 361 and 366, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Smith, duly seconded and carried, that the House reconsider its action on House Bill No. 90.

It was moved by Smith, duly seconded and carried, that House Bill No. 90 be re-referred to the Committee on Judiciary.

It was moved by Cannon, duly seconded and carried, that House Bill No. 249 be taken from Committee on State Institutions, Public Buildings and Grounds, and referred to Committee on Appropriations.

It was moved by Byrne, duly seconded and carried, that House Bill No. 405 be taken from the Engrossing Committee and re-referred to the Committee on Social Security.

It was moved by Laubach, duly seconded and carried, that House Bill No. 146 be taken from the Committee on Development and Publicity and referred to the Committee on Privileges and Elections.

It was moved by Martin, duly seconded and carried, that the House reconsider its action on House Bill No. 232.

It was moved by Martin, duly seconded and carried, that House Bill No. 232 be re-referred to the Committee on State Boards and Offices.

INTRODUCTION OF BILLS

The following were introduced, read first and second times at length, and referred to committees:

House Bill No. 414, introduced by the Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money for the purpose of repayment of overpayment of corporation license taxes and electric energy taxes paid to the State of Montana and authorizing the repayment of same from the General Fund of the State." Referred to Committee on Appropriations.

House Bill No. 415, introduced by the Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money for the payment of a deficiency claim of Fred B. Sheriff for services rendered to the State of Montana." Referred to Committee on Appropriations.

House Bill No. 416, introduced by the Appropriation Committee: A Bill for an Act entitled: "An Act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the district judges' expense." Referred to Committee on Appropriations.

House Bill No. 417, introduced by the Appropriation Committee: A Bill for an Act entitled: "An Act to appropriate money for the payment of certain deficiency claims arising from the operation of the Montana State College." Referred to the Committee on Appropriations.

House Bill No. 418, introduced by Appropriation Committee: A Bill for an Act entitled: "An Act to appropriate money for the payment of a deficiency claim of C. C. Guinn for expenses as a member of the text book commission." Referred to Committee on Appropriations.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Sorte in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That Substitute House Bill No. 15 be amended as follows: Amend Section 1, line 14, by inserting a comma in place of the period after the word "influence", and adding the words "or that an injustice has been done"; and as amended, do pass.

That House Bill No. 179 be amended as follows: Amend the title in line 3 by striking the semicolon after the word "thereof" and inserting the word "unlawful"; and as amended, do pass.

That House Bill No. 328 be amended as follows: Amend Section 5, line 1, (printed bill) by striking out the word "ordinance" and inserting in lieu thereof the word "act".

Amend Section 6, line 1, (printed bill) by striking out the word "ordinance" and inserting in lieu thereof the word "act"; and as amended, do pass.

That House Bill No. 354 and 143 do pass.

That House Bill No. 168 be amended as follows: Amend the title by striking out all of said title after the second word "act" in the first line

of the title in the printed bill, and inserting in lieu thereof the following: "permitting the County Commissioners to designate places and provide facilities for unloading and loading of livestock for inspection purposes."

Amend Section 1 by striking out all of said Section 1 and substituting in lieu thereof the following: "Section 1. The Board of County Commissioners may designate within their respective counties certain convenient places and provide suitable facilities at said places for unloading and loading of livestock for inspection purposes." And as amended do pass.

That consideration of House Bills Nos. 324 and 97 be passed for the day.

That House Bill No. 407 and 384 do pass.

That consideration of House Bill No. 299 be passed for the day.

That House Bill No. 193 be amended as follows: Amend Section 1, line 21 of the printed bill by adding after the word "hundred" the words "and fifty" and as amended, do pass.

That House Bill No. 410, 239 and 254 do pass.

That consideration of House Bill No. 115 be passed for the day.

SORTE, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 188, respectfully report as follows: That House Bill No. 188 do pass.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 334, respectfully report as follows: That House Bill No. 334 be amended as follows:

In line 14 after the word "forth" change the period to a comma and add the following words, "provided that cities having less than (35,000) Thirty-five Thousand population shall not be regulated in this manner." As amended do pass.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 27 and 52.

COLE, Chairman.

Report adopted.

I have examined House Bill No. 52 introduced by me and find the same to be correct.

DUNN.

I have examined House Bill No. 27 introduced by me and find the same to be correct.

WILLIAMS.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Saturday, February 11th, 1939, at 10:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

FORTY-FIRST DAY

House of Representatives,
Helena, Montana.
February 11, 1939.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present, except the following who were excused: Acher, Martin and Woods.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fortieth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bill No. 85.

COLE (Prairie),

Vice-Chairman.

Report adopted.

I have examined House Bill No. 85 introduced by me and find the same to be correct.

McCLAIN.

The Speaker signed the following in open session: House Bills Nos. 27, 52 and 85; and Senate Bill No. 47.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 271, respectfully report as follows: That House Bill No. 271 do not pass.

It was moved by Dougherty, duly seconded, that the report be adopted. On substitute motion, it was moved by Spiegel, duly seconded and carried, that House Bill No. 271 be printed and placed on General Orders.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 414, respectfully report as follows: That House Bill No. 414 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 415, respectfully report as follows: That House Bill No. 415 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 416, respectfully report as follows: That House Bill No. 416 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 417, respectfully report as follows: That House Bill No. 417 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 418, respectfully report as follows: That House Bill No. 418 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your majority of the Committee on Dairying having had under consideration House Bill No. 306, respectfully report as follows: That House Bill No. 306 do not pass.

PARKER (Wibaux),
GEBHARDT,
DANIEL,
MELIN,
MARTIN.

Mr. Speaker: We, your minority of the Committee on Dairying having had under consideration House Bill No. 306, respectfully report as follows: That House Bill No. 306 do pass.

It was moved by Parker of Wibaux, duly seconded, that the majority report be adopted. On substitute motion, it was moved by Petersen duly seconded, that the minority report be adopted. As a substitute motion, for all motions pending, it was moved by Leuthold, duly seconded, that further consideration of House Bill No. 306 be indefinitely postponed. Motion was lost. Whereupon motion by Petersen to adopt the minority report was carried.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 238 and 399, Substitute House Bill No. 14.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bills Nos. 143, 254, 354, 384, 407 and Substitute House Bill No. 59, beg leave to recommend that the same be considered correctly engrossed.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 127, 230, 244, 255, 267 and 382, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, the majority of your Committee on Social Security having had under consideration House Bill No. 301, respectfully report as follows: That House Bill No. 301 do not pass.

BYRNE, Chairman.
MELIN,
MARTIN,
ANDERSON (Phillips),
D'EWART,
REED,
EMSWILER.

Mr. Speaker: We, the minority of your Committee on Social Security, having had under consideration House Bill No. 301, respectfully report as follows: That House Bill No. 301 do pass.

STEVENS,
MOSS (Custer).

It was moved by Byrne, duly seconded, that the report of the majority be adopted. On substitute motion, it was moved by Stevens, duly seconded, that the minority report be adopted. A roll call, to be entered in the Journal was requested by the required number and motion to adopt the minority report was lost by the following vote:

Ayes: Anderson (Cascade), Beadle, Cannon, Flynn, Freshman, Goodwin, Kirscher, Lambert, Long, Loughran, McClain, McGee, McLeod, Moss (Custer), Murray, Padbury, Rice, Ryan, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan. Total 25.

Noes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beck, Berthot, Bjorneby, Brower, Brown, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Friedl, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Laubach, Lehrkind, Leuthold, Liggett, Listug, Longenecker, Lowe, Lynch, McFatridge, McKenna, Melin, Miles, Morrison, Moss (Flathead), Newell, O'Connor, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Scofield, Stromnes, Tyler, Vanderbeck, Watson, Williams, Wilson, Zuck, Mr. Speaker. Total 65.

Absent and not voting: Acher, Baker, Bower, Horrigan, Lippard, Malee, Martin, McCarthy, Metlen, Smith, Wenger, Woods. Total 12.

Whereupon the report of the majority on House Bill No. 301 was adopted.

Mr. Speaker: We, your Committee on Labor having had under consideration House Bill No. 172, respectfully report as follows: That House Bill No. 172 be amended as follows:

Amend Section 2, Subsection 5 to read: The term "labor organization" means any organization which (a) exists for the purpose, in whole or in part, of collective bargaining, or of dealing with employers concerning grievances, terms or conditions of employment, or of other mutual aid or protection, and (b) is recognized and listed by the board hereinafter created as not being a company union.

Strike out Section 1, Sub-Section 6, Page 3 and insert in lieu thereof: The term "company union" means any committee, agency, organization, employee representation plan or association of employees which exists for the purpose, in whole or in part, of dealing with the employers concerning grievances or terms and conditions of employment, if (a) the employer has formulated or participated in formulating its governing rules or policies, or has initiated or created it, or suggested or participated in its initiation or creation unless at the time of its formation or afterwards it has been chartered or became duly affiliated with any labor body, federation or group with which labor organizations are affiliated or from which they have received charters, or (b) the employer participates in or supervises the conduct of its management, operations or elections, or (c) the employer maintain, finances, controls, dominates, influences it or assists in maintaining or financing it, whether by compensating anyone for services performed in its behalf or by donating services, equipment, materials, office or meeting space, provided that permitted employees to confer with an employer during working hours without loss of time or pay shall not be deemed to constitute financial or other support.

Section 3, Sub-Section 1, Page 4, strike out entire sub-section and insert in lieu thereof: There is hereby established a board of three members which shall be known as the Montana Labor Relations Board who shall consist of the Attorney General, State Auditor and the Commissioner of Agriculture, Labor and Industry.

Strike out Section 3, Sub-Section 2.

Section 3, Sub-Section 4 add the word "additional" after the word "no" in line 1.

Strike out line 4 and 5 to the word "The".

Section 3, Sub-Section 4, strike out in line 7 "and, subject to the approval of the Attorney General."

Strike out entire Section 4.

Strike out Sub-Section 4 of Section 6.

Section 6, Sub-Section 6, Page 7, strike out after "collectively" line 7 balance of sub-section 6.

Section 6, Sub-Section 8, line 4, strike out "office or meeting space".

Section 6, Sub-Section 10, strike out completely and insert in lieu thereof: (10) "Nothing herein shall be construed as prohibiting the signing and enforcing of Union shop agreements."

Section 7. Strike out present section and insert in lieu thereof:

Section 7. "If any dispute shall arise among the employees or any employer as to who are the representatives of such employees designated and authorized in accordance with the requirements of this Act, it shall be the duty of the Board, upon request of either party to the dispute, to investigate such dispute and to certify to both parties in writing within 30 days after the receipt of the invocation of its services, the name or names of individuals or organizations that have been designated and authorized to represent the employees involved in the dispute, and certify the same to the employer, upon the receipt of such certification the employer shall treat with the representative of the craft or unit for the purpose of this Act. In such an investigation, the Board shall be authorized to take a secret ballot of the employees involved, or to utilize any other appropriate method of ascertaining the names of their duly designated and authorized representatives in such a manner as shall insure the choice of representatives by the employee without interference, influence, or coercion exercised by the employer.

In the conduct of any election for the purposes herein indicated the Board shall designate who may participate in the election and establish the rules to govern the election or may appoint a committee of three neutral persons who after hearing shall within 10 days designate the employees who may participate in the election. The Board shall have access to and have power to make copies of the books and records of employer to obtain and utilize such information as may be deemed necessary by it to carry out the purposes and provisions of this Act."

Section 9, Sub-Section 3, strick out entirely.

And as amended House Bill 172 be reported out without recommendation.

SPIEGEL, Chairman.

Report adopted.

It was moved by Spiegel, duly seconded, that House Bill No. 172 be printed and placed on General Orders as amended in committee. On substitute motion, it was moved by O'Connor, duly seconded, that further consideration of House Bill No. 172 be indefinitely postponed. A Call of the House was requested by the required number. It was moved by O'Connor, duly seconded and carried, that further Call of the House be dispensed with. A Roll Call, to be entered in the Journal, was requested by the required number on the motion to indefinitely postpone House Bill No. 172, and motion was lost by the following vote:

Noes: Anderson (Phillips), Anderson (Cascade), Beadle, Beck, Bjorneby, Bower, Brown, Byrne, Cannon, Clark, Cole, (Prairie), Daniel, DeDobbeleer, Dougherty, Ekern, Flynn, Friedl, Hess, James, Kirscher, Lambert, Laubach, Liggett, Long, Malee, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Newell, Parker, (Wibaux), Parker (Flathead), Petersen, Reed, Rice, Ryan, Siegling, Sorte, Spiegel, Stafford, Stewart, Sullivan, Tyler, Vanderbeck, Wilson, Zuck, Mr. Speaker. Total 41.

Ayes: Acton, Armstrong, Aronson, Balgord, Berthot, Brower, Cole (Petroleum), Collins, D'Ewart, Duncan, Dunn, Emswiler, Findlater, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Kellogg, Lehrkind, Leuthold, Listug, Longenecker, Loughran, Lowe, Lynch, McFatridge, Metlen, Miles, Moss (Flathead), O'Connor, Padbury, Potter, Roehl, Scofield, Stevens, Stromnes, Watson, Williams. Total 52.

Absent and not voting: Acher, Antrim, Baker, Horrigan, Lippard, Martin, Smith, Wenger, Woods. Total 9.

Whereupon motion by Spiegel carried.

Mr. Speaker: We, your Committee on Constitutional Amendments having had under consideration House Bill No. 282, respectfully report as follows: That House Bill No. 282 do pass.

STAFFORD, Chairman.
MOSS (Flathead),
HOINESS,
BROWER,
DUNCAN,
CLARK.

Report adopted.

Mr. Speaker: We, your majority of the Committee on Constitutional Amendments having had under consideration House Bill No. 211, respectfully report as follows: That House Bill No. 211 do not pass.

SPIEGEL,
SORTE,
DeDOBBELEER.

Mr. Speaker: We, a minority of your Committee on Constitutional Amendments having had under consideration House Bill No. 211, respectfully report as follows: That House Bill No. 211 do pass.

STAFFORD, Chairman.
HOINESS.

It was moved by Spiegel, duly seconded, that the report of the majority be adopted. On substitute motion, it was moved by Stafford, duly seconded, that the report of the minority be adopted. Motion was lost. Whereupon motion to adopt the majority committee report carried.

The Speaker ruled that the above reports on House Bill No. 211 could not be accepted because there was not a quorum of the Committee on Constitutional Amendments on the two reports. Whereupon, it was moved by O'Connor, duly seconded and carried, that the House reconsider its action on the committee reports on House Bill No. 211 and that the bill be returned to the committee.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to request your Honorable Body the return of Senate Bill 99 for corrections on the engrossed bill.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Longenecker, duly seconded and carried, that House Bill No. 328 be taken from Engrossing Committee and placed on General Orders.

It was moved by McLeod, duly seconded and carried, that the House accede to the request of the Honorable Senate in returning Senate Bill No. 99.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills, correctly engrossed: House Bills Nos. 23, 159 and 168; Substitute House Bill No. 15.

RICE, Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that the House recess until 3:30 P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Joint Conference Committee, of the Senate and the House, having had under consideration the Senate amendments to said House Bill No. 185, hereby agree and recommend as follows:

That Senate recede from its amendment striking out the comma and inserting the word "and" between the word "proofreaders" and the word "ten" in line 15 of Section 1 of the printed bill.

That the Senate amendment striking out all of line 15 of the printed bill after the word "clerks", and also lines 16 and 17 of Section 1 of the printed bill, be concurred in.

That said House Bill No. 185 be further amended by adding after the word "clerks" in line 15 of Section 1 of the printed bill, the following words: "and such other and further employees as the House of Representatives and the Senate may, by joint resolution, from time to time determine."

And that as so amended by your Joint Conference Committee House Bill No. 185 do pass and be concurred in.

STROMNES,
O'CONNOR,
LIPPARD,

For the House.

KEELEY,
BATEMAN,
DRUMHELLER,

For the Senate.

On motion by Stromnes, duly seconded, the report of the Conference Committee on House Bill No. 185 was adopted by the following vote:

Ayes: Anderson (Phillips), Armstrong, Aronson, Balgord, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, McCarthy, McFatriidge, McGee, McKenna, Melin, Metlen, Morrison, Moss (Flathead), Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Stevens, Stewart, Stromnes, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 78.

Noes: Beadle, Cannon, Ryan, Spiegel. Total 4.

Absent and not voting: Acher, Acton, Anderson (Cascade), Antrim, Baker, Cole (Petroleum), Flynn, Friedl, Laubach, Lippard, Lynch, Malee, Martin, McClain, McLeod, Miles, Murray, Stafford, Sullivan, Woods. Total 20.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 326, respectfully report as follows: That House Bill No. 326 do pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 136, respectfully report as follows: That House Bill No. 136 do pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 179, 193 and 239.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bill No. 410, beg leave to recommend that the same be considered correctly engrossed.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 137, respectfully report as follows: That House Bill No. 137 do pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 331, respectfully report as follows: That House Bill No. 331 be amended as follows:

Strike out the word "sums", page 1, line 8, and in lieu thereof insert the word "sum".

Strike out the word "are", page 1, line 9, and in lieu thereof insert the word "is".

Strike out all therein on page 1, line 13, beginning with "salary of" and ending on page 2, line 7, "legitimate expense, \$700.00" and in lieu thereof insert the following:

"Fund to be used in aiding county, joint county or regional libraries to buy books, Five Thousand Dollars, \$5,000.00."

And as amended do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game having had under consideration House Bill No. 304, respectfully report as follows: That House Bill No. 304 do not pass.

MALEE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game having had under consideration House Bill No. 360, respectfully report as follows: That House Bill No. 360 do pass.

MALEE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices having had under consideration House Bill No. 103, respectfully report as follows: That House Bill No. 103 do not pass; but Substitute House Bill No. 103, entitled: "An Act to amend Sections 4884 and 4884.1, Revised Codes of Montana, 1935, relating to mileage of members of the Legislative Assembly, State, County and Township Officers and Employees, Juror, Witnesses, and all other persons entitled to mileage; providing for liability of approving boards on their official bonds, and repealing all Acts in conflict herewith." Do pass.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 344, respectfully report as follows: That House Bill No. 344 do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 350, respectfully report as follows: That House Bill No. 350 be amended as follows:

By striking out in line 9 of Section 5 on page 4, the words and figures "Two Hundred Dollars (\$200.00) and inserting in lieu thereof, the words and figures "Two Hundred and Fifty Dollars (\$250.00)."

And as amended do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 343, respectfully report as follows: That House Bill No. 343 do not pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 347, respectfully report as follows: That House Bill No. 347 do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 364, respectfully report as follows: That House Bill No. 364 do not pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game having had under consideration House Bill No. 351, respectfully report as follows: That House Bill No. 351 be amended as follows:

At the end of Section 1, a new section, to be known as Section 2, is added, as follows:

Section 2. The Fish and Game Commission shall pay bounty claims for wild animals which have been filed, registered and approved in the

office of the Livestock Commission; the State Fish and Game Commission is empowered to and shall pay out of the State Fish and Game funds for bounties on predatory wild animals, as such bounty claims are presented, not exceeding Seven Thousand Five Hundred (\$7,500.00) Dollars per calendar year.

The Livestock Commission shall, after the filing, registration and approval of the bounty claim or certificate in its office, deliver the same to the office of the State Fish and Game Commission for rejection or approval. If such claim or certificate is rejected it shall be returned by the Fish and Game Commission to the Livestock Commission and if approved it shall be delivered to the State Board of Examiners for allowance or disallowance.

If the State Board of Examiners approve and allow any such claim or certificate, they must indorse thereon over their signatures, "Approved for the sum of dollars" and transmit the same to the Auditor, and the Auditor must draw his warrant on the State Fish and Game Fund for the amount so approved and allowed, in favor of the claimant, or his assigns, in the order in which the same is approved.

And by changing Section 2 to Section 3 and Section 3 to Section 4.

And as amended, do pass.

MALEE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Safety having had under consideration House Bill No. 370, respectfully report as follows: That House Bill No. 370 do not pass.

RYAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 222, respectfully report as follows: That House Bill No. 222 do pass.

RYAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges having had under consideration House Bill No. 279, respectfully report as follows: That House Bill No. 279 do not pass.

It was moved by Rice, duly seconded, that the report of the Committee be adopted. On substitute motion, it was moved by Watson, duly seconded and carried, that House Bill No. 279 be re-referred to the Committee on Livestock and Public Ranges.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 409, 329, 191, 289, 335, 163, 206, 42, 245, 390, 345 and Substitute House Bills Nos. 10, 128 and 103, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the House Bill No. 41 and House Joint Memorial No. 15, having failed in concurrence on this day in the Senate, are hereby returned to the House.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bills Nos. 78, 98, 118, 120, 121, 51, having this day been read three several times, title and history agreed to and passed, are herewith transmitted to the House for concurrence.

Respectfully,

GEORGE A. BURR,

Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by McLeod, duly seconded and carried, that House Bill No. 26 be recalled from the Governor's Office for correction in history.

It was moved by McLeod, duly seconded and carried, that Senate Bills Nos. 91 and 92 be placed at the head of the list on General Orders.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees, all appropriation measures having been read at length: House Bills Nos. 419 and 420 having been introduced by unanimous consent of the House:

House Bill No. 419: Introduced by the Committee on Appropriations: A Bill for an Act entitled: "An Act to appropriate money for the State Department of Public Welfare of the State of Montana for Public Assistance, for administrative costs in the State Department and in the county departments of Public Welfare and for all other expenditures that the State Department of Public Welfare is authorized to incur, for the period beginning with March 2, 1939 and terminating with June 30, 1939". Referred to Committee on Appropriations.

House Bill No. 420: Introduced by Committee on Education: A Bill for an Act entitled: "An Act to amend Section I, Chapter 140, Session Laws of 1937, relating to use of school rooms for adult classes." Referred to Committee on Education.

Senate Bill No. 78: Introduced by Mann: A Bill for an Act entitled: "An Act to amend Section 3322.1 of Chapter 136 of the Session Laws of 1937, relating to the payment of fees for the inspection of cattle taken from the State of Montana." Referred to Committee on Livestock and Public Ranges.

Senate Bill No. 98: Introduced by Committee on Agriculture: A Bill for an Act entitled: "An Act entitled: "An Act to amend the following sections of the Revised Codes of Montana, 1935, relating to agriculture seeds; mainly Section 3564, relating to duties of the Department of Agriculture, Labor, and Industry; Section 3593, relating to definitions of Agricultural seeds; Section 3594, relating to labeling of agricultural seeds; Section 3595, relating to exemptions; Section 3596, relating to violation and penalties; Section 3597, relating to inspection and analysis; Section 3598, relating to salaries, expenses and employment of agents; Section 3599, relating to testing of samples and fees; Section 3600, relating to certificates, and repealing Sections 3601 and 3602, Revised Codes of Montana, 1935, and all Acts and parts of Acts in conflict herewith." Referred to Committee on Agriculture.

Senate Bill No. 120: Introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to amend Section 10068 of the Revised Codes of Montana, 1935, relating to the order of persons entitled to administer an estate of all persons dying intestate, in the order in which they are respectively entitled thereto and providing that a surviving partner cannot be appointed administrator of the estate." Referred to Committee on Judiciary.

Senate Bill No. 118: Introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to repeal Section 24 of the Revised Codes of

Montana, 1935, relating to acquisition of lands by the United States." Referred to Committee on Judiciary.

Senate Bill No. 51: Introduced by Dahl: A Bill for an Act entitled: "An Act to amend Sections 3154.1, 3154.2, 3154.3, 3154.4, 3154.5, 3154.6, and 3154.10 of the Revised Codes of Montana, 1935, relating to the practice of chiropody or podiatry, creating a State Board of Chiropody Medical Examiners, providing for the examination and licensing of applicants to practice chiropody, and the issuance, revocation and recordation of licenses, regulation of said practice, providing penalties for violations of the provisions of this Act and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Public Health and Sanitary Affairs.

Senate Bill No. 121: Introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to amend Section 372 and 1556 of the Revised Codes of Montana, 1935, relating to the collection of fees by the Clerk of the Supreme Court, providing for the distribution thereof, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Byrne in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Bill No. 91 be concurred in.

That House Bill No. 260 do pass.

That House Bill No. 97 be amended as follows: Amend Section 3, by striking out in line 4 of the printed bill after the word "hospitals" the word "and" and adding after the word "plants." the words "and labor unions who may request them";

Amend Section 4, line 2 of the printed bill by inserting after the word "disease" the words "or a death caused by occupational disease."

Amend Section 7 by striking out the remainder of the Section after the word "hygiene" in line 10, and as amended do pass.

That House Bill No. 324 be amended as follows: Amend the title by adding after the word "surgery" the words "except fruit trees."

Amend Section 1 (printed bill) by changing the punctuation after line 3 from a period to a semi-colon and adding thereafter the following words: "providing, however, that none of the provisions of this Act shall apply to the pruning of fruit trees"; and as amended do pass.

That consideration of House Bill No. 101 be passed for the day.

That House Bills Nos. 299, 115, 104, and 192 do pass.

That consideration of House Bill No. 43 be passed for the day.

That Senate Bill No. 92 be concurred in.

That consideration of House Bill No. 213 be passed for the day.

That House Bill No. 194 be amended as follows: Amend Section 1, line 6 (printed bill) by inserting the word "necessary" before the word "expenses"; and as amended do pass.

That House Bill No. 200 do pass.

That Senate Amendments to House Bill No. 29 be concurred in.

That House Bill No. 233 be amended as follows: Amend Section 2, line 1, by inserting after the word "agent," the word "employee" and as amended do pass.

That consideration of House Bill No. 247 be passed for the day.

That House Bill No. 259 do pass.

That House Bill No. 338 do pass.

That House Joint Memorial No. 8 do pass.

That House Bill No. 201 be amended as follows: Amend Section 13, line 5, (printed bill) by inserting after the word "Board," the following "also a copy sent by registered letter to the Secretary of each area," and as amended do pass.

BYRNE, Chairman.

It was moved by Byrne, duly seconded, that the report of the Committee of the Whole be adopted. On substitute motion, it was moved by Parker of Flathead, duly seconded and carried, that House Bill No. 104 be segregated from the report of the Committee of the Whole. Whereupon, Committee of the Whole report was adopted as amended.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Conservation of Resources having had under consideration House Bill No. 217, respectfully report as follows: That House Bill No. 217 do not pass, but that House Substitute for House Bill No. 217; A Bill for an Act entitled: "An Act for the purpose of providing for the conservation, protection, restoration and proper utilization of grass and forage resources of the State of Montana as a means of restoration and maintenance of the prosperity and general welfare of the State; defining terms, words and phrases; creating the Montana Grass Conservation Commission; defining its purpose; providing for the membership, the appointment and expenses thereof; defining the powers and prescribing the duties of said commission; granting certain authority over State Grazing districts and the power to hear and determine controversies between grazing districts or grazing districts and members or non-members thereof; providing for the appointment of a secretary to the Grass Conservation Commission, his compensation and defining his powers and duties; providing for hearings by the secretary or any member of the commission delegated to hold the same and for appeal to the Montana Commission from the decision and orders thereon; providing for an appeal to the District Court from a decision of the commission; creating a fund to be known as the State Grass Conservation Fund and providing for the assessment and collection of fees to defray the expenses of said commission; providing for the creation and incorporation of cooperative grazing districts and defining their powers and duties; and defining who may become members thereof; and the rights and privileges of members; to authorize such districts to purchase grass seed, livestock, supplies, to lease state lands and other lands, and to undertake reseedling of depleted range areas or abandoned farm lands, purchase or otherwise acquire the possession of land for grazing purposes, conservation, restoration and improvement of forage resources, granting to the Montana Grass Conservation Commission supervisory authority over grazing districts; providing for co-operation of and with governmental and state departments or agencies; defining the manner of distributing grazing preferences and revocation thereof; providing for the liquidation of the assets of a district upon its dissolution and providing the compensation to a district for range improvements by subsequent lessees or owners of land; providing for crossing privileges; providing for the use of lands lying within the exterior boundaries of a district controlled by a non-member; to grant the commission the authority to prepare and approve rules and regulations for the purpose of carrying out the provisions of this Act; to define the terms trespass and legal fence as related to grazing districts and providing penalties for the violation thereof; providing for the reservation of range for wild life and repealing Sections 4364.7 to 7364.29 inclusive, of the Revised Codes of Montana, 1935, and providing for the associations incorporated under previous Acts to comply with the provisions of this Act." Do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security having had under consideration Senate Bill No. 81, respectfully report as follows: That Senate Bill No. 81 be amended as follows:

"Strike out the words 'December 31, 1941', and insert the words 'March 15, 1941', of Section II, line 6 and Section 10, line 3. Omit Section 3 in its entirety and re-number Section 4 to read as Section 3."

As amended do pass.

BYRNE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration House Bill No. 212, respectfully report as follows: That House Bill No. 212 do not pass.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration House Bill No. 311, respectfully report as follows: That House Bill No. 311 do not pass.

LEHRKIND, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Hoiness, duly seconded and carried, that the House reconsider its action taken in adopting the report of the Committee of the Whole.

It was moved by Hoiness, duly seconded and carried, that House Bill No. 233 be segregated from the report of the Committee of the Whole.

It was moved by Spiegel, duly seconded and carried, that the report of the Committee of the Whole be adopted as amended.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Sunday, February 12th, 1939, at 1:00 o'clock P. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

FORTY-SECOND DAY

House of Representatives,
Helena, Montana,
February 12, 1939.

House convened, pursuant to adjournment, at 1:00 o'clock P. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Acher, Antrim, Flynn, Freshman, Hess, Hoiness, Lippard, Malee, Martin, Murray, Siegling, Spiegel, Stafford, Stromnes, Sullivan, Wenger, and Woods.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Forty-first Legislative Day, find the same to be correct.

LIGGETT, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 72, 178, 205, 314, 320, 334, 346, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Joint Memorial 11.

COLE, Vice-Chairman.

Report adopted.

I have examined House Joint Memorial No. 11 introduced by me and find the same to be correct.

LAMBERT.

The Speaker signed House Joint Memorial No. 11 in open session.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 98, respectfully report as follows: That House Bill No. 98 do not pass.

BYRNE, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Dougherty, duly seconded and carried, that Senate Bill No. 58 be taken from the Committee on Appropriations and referred to the Committee on Social Security.

It was moved by Hammond, duly seconded and carried, that consideration of House Bill No. 43 be passed for the day.

It was moved by McLeod, duly seconded and carried, that House Bill No. 26 be re-referred to the Committee on Enrolling.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 91 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Byrne, Clark, Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Flynn, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Longenecker, Loughran, Lynch, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Newell, O'Connor, Padbury, Parker, (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Smith, Sorte, Stevens, Stewart, Tyler, Watson, Williams, Wilson, Zuck, Brower, and Mr. Speaker. Total 76.

Noes: Long. Total 1.

Absent and not voting: Acher, Antrim, Brown, Cannon, Cole (Petroleum), Ekern, Findlater, Freshman, Hess, Horrigan, Lippard, Lowe, Malee, Martin, Metlen, Murray, Ryan, Siegling, Spiegel, Stafford, Stromnes, Sullivan, Vanderbeck, Wenger, Woods. Total 25.

Senate Bill No. 92 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Baker, Balgord, Beadle, Berthot, Bjorneby, Bower, Brower, Byrne, Clark, Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Friedl, Gebhardt, Good-

win, Green, Hageman, Hammond, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Longenecker, Loughran, Lowe, Lynch, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Sorte, Stevens, Stewart, Tyler, Watson, Williams, Wilson, Zuck and Mr. Speaker. Total 74.

Noes: Long. Total 1.

Absent and not voting: Acher, Antrim, Beck, Brown, Cannon, Cole (Petroleum), Ekern, Flynn, Freshman, Hess, Horrigan, Lippard, Malee, Martin, McCarthy, Metlen, Murray, Ryan, Siegling, Smith, Spiegel, Stafford, Stromnes, Sullivan, Vanderbeck, Wenger and Woods. Total 27.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

O'Connor in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That the enacting clause be stricken from House Bill No. 101.

That House Bill No. 104 be amended as follows: Amend Section 10 of the printed bill by striking out in line 4 after the word "to" all of the words in line 4, and striking out of lines 5, 6, 7, 8, 9, 10, 11, 12, 13, and such part of line 14 as precedes the word "he" and inserting in lieu thereof the words "forty-five percent (45%) of the total number of votes cast for all candidates for the office to which the officer whose recall is demanded was elected at the preceding election," and as amended do pass.

That House Bill No. 213 do pass.

That consideration of House Bill No. 233 be passed for the day.

That House Bills Nos. 247 and 256 do pass.

That consideration of House Bills Nos. 86 and 359 be passed for the day.

That House Bills Nos. 361, 366 and 241 do pass.

That Senate Amendments to House Bills Nos. 126 and 73 be concurred in.

That House Bill No. 328 be amended as follows: Amend Section 1 by striking in line 3 the words "fruit trees" and in line 5 change the period to a semi-colon and add the following words "providing, however, that none of the provisions of this Act shall apply to the spraying to fruit trees." And as amended do pass.

That House Bill No. 127 do pass.

That consideration of House Bill No. 230 be passed for the day.

That House Bill No. 244 do pass.

That House Bill No. 255 be amended as follows: Amend Section 2, line 1, by adding after the word "age" the word "or"; and as amended do pass.

That consideration of House Bill Nos. 267 and 382 be passed for the day.

That House Bills Nos. 409, 329, 191, 289, 335, 163 and 206 do pass.

That consideration of House Bill No. 42 be passed for the day.

That House Bills Nos. 245, 390 and 345 do pass.

That Substitute House Bill No. 10 do pass.

That consideration of Substitute House Bill No. 128 be passed for the day.

That Substitute House Bill No. 103 be re-referred to the Committee on State Boards and Offices.

That House Bill No. 137 and 136 do pass.

That House Joint Memorial No. 12 do pass.

That House Joint Memorial No. 16 be amended as follows: Amend by adding the County "Sheridan" after the name "Daniels" in line 3 of the title, and in line 1 and 18 of the Memorial; and as amended do pass.

That House Joint Memorial No. 17 do pass.

That Senate Bill No. 84 be concurred in.

That consideration of Senate Bill No. 17 be passed for the day.

That House Bill No. 214 do pass.

O'CONNOR, Chairman.

It was moved by O'Connor, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Beadle, duly seconded, that House Bill No. 329 be segregated from the report of the Committee of the Whole. A Roll Call, to be entered in the Journal was requested by the required number and motion lost by the following vote:

Ayes: Acton, Anderson (Phillips), Armstrong, Baker, Beadle, Bjorneby, Bower, Brown, Cannon, Collins, Daniel, DeDobbeleer, Findlater, Leuthold, Long, Longenecker, Loughran, McClain, McGee, McLeod, Melin, Moss (Flathead), Moss (Custer), Newell, Parker (Wibaux), Parker (Flathead), Reed, Rice, Ryan, Sorte, Stevens, Watson. Total 32.

Noes: Aronson, Balgord, Beck, Berthot, Brower, Byrne, Clark, Cole (Petroleum), Cole (Prairie), D'Ewart, Duncan, Emswiler, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Lowe, Lynch, McCarthy, McFatrledge, McKenna, Metlen, Miles, Morrison, O'Connor, Peterson, Potter, Roehl, Scofield, Smith, Stewart, Tyler, Vanderbeck, Williams, Wilson, Mr. Speaker. Total 46.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Dougherty, Dunn, Ekern, Flynn, Freshman, Hess, Horrigan, Lippard, Listug, Malee, Martin, Murray, Padbury, Siegling, Spiegel, Stafford, Stromnes, Sullivan, Wenger, Woods and Zuck. Total 24.

Whereupon, the report of the Committee of the Whole was adopted.

It was moved by Cannon, duly seconded and carried, that House Bill No. 284 be taken from the Committee on State Institutions, Public Buildings and Grounds and referred to the Committee on Judiciary.

It was moved by Moss of Flathead and Byrne, duly seconded, that the Speaker be authorized to appoint a committee of five to be known as the Steering Committee to arrange the order of bills on General Orders and that no changes be made in such order except by unanimous consent of such committee or by a two-thirds vote of the House.

On substitute motion, it was moved by McLeod, duly seconded, that the motion by Moss and Byrne be referred to the Committee on Rules, Joint Rules and Order of Business. Motion was lost. Whereupon motion by Moss and Byrne carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 363.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bills Nos. 192, 259, 260, 299 and 338 together with House Joint Memorial No. 8, beg leave to recommend that the same be considered correctly engrossed.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 393, respectfully report as follows: That House Bill 393 do not pass, but that Substitute House Bill 393 entitled: Substitute House Bill No. 393, Introduced by Committee on Education: A Bill for an Act entitled: "An Act to amend Sections 1, 4 and 5, Chapter 87 of the Laws of the Twenty-fifth Legislative Assembly of the State of Montana, entitled: 'An Act establishing a retirement system to provide for the retirement upon retirement allowances of public school teachers in the State of Montana; establishing a retirement board for the administration of such system; and fixing the powers and duties thereof; fixing the membership in the retirement system and providing retirement allowances thereunder; establishing certain funds for the administration of said system and providing for the securing of the moneys; income, and revenue for the maintenance of such funds, and providing for the appropriation of such funds as are necessary; and providing for the discontinuing of the retirement system established by Sections 1113 to 1132, inclusive, of the Revised Codes of Montana,' so that teachers in the University of Montana shall be included in the membership in the Teacher's Retirement System of the State of Montana."

LAMBERT, Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, by two-thirds vote, that the House proceed to Order of Business No. 11, Unfinished Business.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Monday, February 13, 1939, at 10:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

FORTY-THIRD DAY

House of Representatives,
Helena, Montana,
February 13, 1939.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Acher, Brower, Leuthold, Woods.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Forty-second Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 258, 414 beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education having had under consideration House Joint Memorial No. 4, respectfully report as follows: That House Joint Memorial No. 4 be referred to the Appropriations Committee.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 249, respectfully report as follows: That House Bill No. 249 do not pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture having had under consideration House Bill No. 307, respectfully report as follows: That House Bill No. 307 be amended in:

Section 4, line 29, by inserting the word "and" after the word "hotels" and striking out the word "bakeries"; and in line 30 by striking out the words "and confectioners."

Do pass as amended.

DeDOBBELEER, Chairman.

Report adopted.

Mr. Speaker: We, the majority of your Committee on Highways and Highway Transportation having had under consideration House Bill No. 323, respectfully report as follows: That House Bill No. 323 do not pass.

MOSS (Flathead),
ACTON,
MALEE,
ARONSON,
VANDERBECK,
WILLIAMS,
KELLOGG.

Mr. Speaker: We, the minority of your Committee on Highways and Highway Transportation having had under consideration House Bill No. 323, respectfully report as follows: That House Bill No. 323 do not pass.

LEHRKIND, Chairman.
PARKER (Wibaux).

It was moved by Moss of Flathead, duly seconded, that the report of the Majority be adopted. On substitute motion, it was moved by Lehrkind, duly seconded, that the report of the Minority be adopted. Motion was lost. Whereupon motion by Moss of Flathead was carried.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 117, respectfully report as follows: That House Bill No. 117 do not pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Conservation of Resources having had under consideration House Bill No. 253, respectfully report as follows: That House Bill No. 253 do not pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bills Nos. 137, 191, 206, 213, 245, 256, 289, 329, 345, 361, 390, and 409; Substitute House Bill No. 10 and House Joint Memorials No. 12 and 17, beg leave to recommend that the same be considered correctly engrossed.

RICE, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 122 was this day read three several times in the Senate, and not concurred in and is herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 66 and 125, were this day read three several times, title and history agreed to and concurred in and are herewith transmitted to the House.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Joint Conference Committee, appointed to consider Senate amendment to Substitute House Bill No. 3, introduced by the Committee on Mines and Mining, beg leave to report and recommend as follows: That the Senate recede from all Senate Amendments and amend the title as follows: By striking out the comma after the word "labor" and inserting the following: "and County Clerks and Recorders," and by inserting in Section 2, of the printed bill, beginning after the word "Montana" in line 3 the following: "and also in the office of the County Clerk and Recorder of each county where such operations are to be carried on";

And by amending Section 3 of the printed bill, beginning after the word "labor" by inserting in line 2 the following: "and in the offices of the County Clerks and Recorders".

And by amending Section 4 of the printed bill by striking out all of the first sentence thereof, (the same being all of line 1 after the words and figures "Section 4." and all of lines 2 to 9½ inclusive, and all of line 10 preceding the word "upon"), and inserting in lieu thereof the following words and figures:

"Whenever it shall appear from reliable information satisfactory to the Commissioner of Labor of the State of Montana that any person, firm, partnership or corporation engaged in the business as mentioned in Section 1 hereof, and not exempt from the effect of this Act, shall have failed to pay any wages or salaries due his employees as required by Chapter 264 of the Political Code of the Revised Codes of Montana for 1935, he shall have the right to deliver such information to the County Attorney of the county wherein the operations of the employer are being carried on and to request such County Attorney to file a complaint in the District Court of said county in accordance with the provisions of this Act and said Chapter 264. Should such complaint be filed by the County Attorney upon his own motion, or at said request of said Commissioner of Labor, the same shall pray that relief be had against the employer for the greater security for the payment of salaries and wages of the employees; provided, however, that any such employees may make complaint direct to the County Attorney relative to any violation of this Act or of said Chapter 264. If said County Attorney believes, after receiving said information, that the provisions of Chapter 264 of the Revised Codes of Montana for 1935, or any thereof, have been violated, and that such violation or violations of said Chapter was or were willful, or that the financial condition of the employer is such as to endanger employees in receiving prompt payment or collection of wages, it shall be his duty to file the complaint aforesaid in said District Court. The County Attorney of the county shall promptly notify the Commissioner of Labor of any complaint made by any employee relative to the violation of any of the provisions of this Act or said Chapter 264, and shall in writing keep said Commissioner of Labor advised of each step in any proceeding taken by said County Attorney thereunder."

And that Section 8 of the printed bill be amended in line 12 thereof by striking out immediately after the word "shall," the words "at the request of the Commissioner of Labor," and inserting in lieu thereof the words "at his or their discretion," and that as so amended we recommend that Substitute House Bill No. 3 pass and be concurred in.

MORRISON,
McCARTHY,
BROWN.

For the House.

MARTINSON,
LOTT,
KEELEY.

For the Senate.

STATEMENT ON CONFERENCE COMMITTEE REPORT ON SUBSTITUTE HOUSE BILL NO. 3

The Conference Committee amendments designate the County Clerk, in addition to the Commissioner of Labor, as the one with whom such firms or partnerships must file their organization set-up. The County Attorney is designated as the one to institute prosecution for violation, instead of the Commissioner of Labor.

MORRISON, Chairman.

On motion, duly seconded, the report of the Joint Conference Committee on Substitute House Bill No. 3 was adopted by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Baker, Balgord, Beadle, Berthot, Bjorneby, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Lambert, Laubach, Lehrkind, Liggett, Lippard, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss, (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Williams, Wilson, Zuck, Mr. Speaker. Total 85.

Absent and not voting: Acher, Antrim, Bower, Brower, Daniel, Freshman, Horrigan, Kirscher, Leuthold, Listug, Malee, Moss (Flathead), O'Connor, Siegling, Stromnes, Wenger, Woods. Total 17.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 374, respectfully report as follows: That House Bill No. 374 do not pass, but recommend that Substitute House Bill No. 374 entitled: "An Act relating to transferring money or personal property not to exceed in value the sum of one hundred dollars, to a minor by delivery to the parent of said minor, and effect thereof." Do pass.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 83, respectfully report as follows: That House Bill No. 83 do not pass.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration Senate Bill No. 112, respectfully report as follows: That Senate Bill No. 112 be concurred in.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 90, respectfully report as follows: That House Bill No. 90 do not pass, but your committee does upon request, offer a substitute for House Bill No. 90 which shall be known as Substitute House Bill No. 90, and recommend that same be printed and placed on General Orders.

Substitute House Bill No. 90: Introduced by the Committee on Townships and Counties: A Bill for an Act entitled: "An Act relating to the authority of County Commissioners to provide and maintain living quarters for sheriff, and repealing all Acts and parts of Acts in conflict therewith."

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration Senate Bill No. 55, respectfully report as follows: That Senate Bill No. 55 be concurred in.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 336, respectfully report as follows: That House Bill No. 336 do pass.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 170, respectfully report as follows: That House Bill No. 170 do not pass but that Substitute House Bill No. 170: A Bill for an Act entitled: "An Act to amend Section 23, Revised Codes of Montana, 1935, relating to the cession of jurisdiction over that part of Yellowstone National Park in the State of Montana and repealing all Acts and parts of Acts in conflict therewith." Do pass.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 312, respectfully report as follows: That House Bill No. 312 do not pass.

SMITH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 316, respectfully report as follows: That House Bill No. 316 do not pass.

SMITH, Vice-Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Liggett, duly seconded and carried, that Third Reading on House Bill No. 23 be passed for the day.

It was moved by Hoiness, duly seconded and carried, that the House reconsider its action in the adoption of the committee report relative to House Bill No. 98.

It was moved by Hoiness, duly seconded and carried, that House Bill No. 98 be re-referred to the Committee on Social Security.

It was moved by McLeod, duly seconded and carried, that House Bill No. 115 be taken from Committee on Engrossing and placed on General Orders.

It was moved by McLeod duly seconded and carried, that Senate Bill No. 19 be re-referred to Committee on Privileges and Elections.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

Senate Bill No. 84 was not concurred in by the following vote:

Ayes: Antrim, Armstrong, Aronson, Balgord, Berthot, Bjerneby, Bower, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Duncan, Dunn, Emswiler, Findlater, Gebhardt, Green, Hageman, Kellogg, Lippard, Listug, Longenecker, Lowe, Lynch, Malee, Miles, Morrison, Potter, Reed, Rice, Scofield, Stevens, Stewart, Sullivan, Watson, Wenger, Williams. Total 40.

Noes: Acton, Anderson (Phillips), Anderson (Cascade), Beadle, Beck, Brown, Dougherty, Ekern, Flynn, Friedl, Goodwin, Hammond, Hess, Hoiness, James, Lambert, Laubach, Long, Loughran, Martin, McCarthy, McFatridge, McGee, McKenna, McLeod, Melin, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Petersen, Roehl, Ryan, Sorte, Spiegel, Stafford, Tyler, Vanderbeck, Wilson, Zuck. Total 41.

Absent and not voting: Acher, Baker, Brower, Byrne, Daniel, Freshman, Horrigan, Kirscher, Leuthold, Liggett, McClain, Metlen, Moss (Flathead), O'Connor, Parker (Flathead), Siegling, Smith, Stromnes, Woods, Mr. Speaker. Total 21.

House Bill No. 238 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Lambert, Lehrkind, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Rice, Roehl, Ryan, Scofield, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 86.

Absent and not voting: Acher, Brower, Daniel, Findlater, Horrigan, Kirscher, Laubach, Leuthold, McClain, Metlen, O'Connor, Siegling, Smith, Stromnes, Vanderbeck, Woods. Total 16.

House Bill No. 399 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug,

Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Smith, Sorte, Spiegel, Stafford, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Zuck. Total 87.

Noes: Stevens. Total 1.

Absent and not voting: Acher, Antrim, Brower, Cole (Prairie), Daniel, Findlater, Kirscher, Leuthold, O'Connor, Siegling, Stromnes, Wilson, Woods, Mr. Speaker. Total 14.

House Bill No. 143 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Cannon, Clark, Cole (Prairie), Collins, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 87.

Noes: D'Ewart, Lambert. Total 2.

Absent and not voting: Acher, Brower, Byrne, Cole (Petroleum), Daniel, Findlater, Kirscher, Leuthold, Moss (Custer), O'Connor, Siegling, Stromnes, Woods. Total 13.

House Bill No. 254 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Clark, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Horrigan, James, Kellogg, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatrige, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Smith, Sorte, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck. Total 78.

Noes: Duncan, Long, McGee, Murray, Ryan, Spiegel. Total 6.

Absent and not voting: Acher, Baker, Balgord, Brower, Byrne, Cannon, Daniel, Hoiness, Kirscher, Leuthold, Malee, Moss (Flathead), Moss (Custer), O'Connor, Siegling, Stromnes, Woods, Mr. Speaker. Total 18.

House Bill No. 384 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Clark, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, James, Kellogg, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Murray, Newell, Pad-

bury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Cannon. Total 83.

Absent and not voting: Acher, Baker, Brower, Byrne, Daniel, Ekern, Hoiness, Horrigan, Kirscher, Leuthold, Malee, Moss (Flathead), Moss (Custer), O'Connor, Siegling, Smith, Stromnes, Woods, Mr. Speaker. Total 19.

House Bill No. 354 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Beck, Berthot, Bjorneby, Bower, Brown, Byrne, Clark, Cole (Prairie), Collins, DeDobbeleer, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Horrigan, James, Kellogg, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, Metlen, Miles, Morrison, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Sorte, Spiegel, Stafford, Stevens, Stewart, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck. Total 72.

Noes: Anderson (Cascade), Beadle, Cannon, McGee, McKenna, McLeod, Melin, Murray, Ryan, Sullivan, Tyler. Total 11.

Absent and not voting: Acher, Brower, Cole (Petroleum), Daniel, D'Ewart, Ekern, Hoiness, Kirscher, Leuthold, Malee, Moss (Flathead), Moss (Custer), O'Connor, Scofield, Siegling, Smith, Stromnes, Woods, Mr. Speaker. Total 19.

House Bill No. 407 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Clark, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Horrigan, James, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Brown. Total 84.

Noes: Kellogg. Total 1.

Absent and not voting: Acher, Brower, Byrne, Cannon, Daniel, Dunn, Hoiness, Kirscher, Leuthold, Malee, Moss (Flathead), Moss (Custer), O'Connor, Siegling, Stromnes, Woods, Mr. Speaker. Total 17.

Substitute House Bill No. 14 was passed by the following vote:

Ayes: Anderson (Phillips), Antrim, Armstrong, Balgord, Beck, Berthot, Bower, Byrne, Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Ekern, Emswiler, Flynn, Goodwin, Green, Hageman, Hess, Hoiness, James, Lambert, Laubach, Lehrkind, Liggett, Lippard, Loughran, Lowe, Lynch, Martin, McClain, McKenna, Miles, Morrison, Moss (Flathead), Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Rice, Scofield, Smith, Sorte, Stafford, Stewart, Wilson, Zuck. Total 50.

Noes: Acton, Anderson (Cascade), Aronson, Baker, Beadle, Bjorneby, Brown, Cannon, Clark, Cole (Petroleum), Findlater, Freshman, Friedl, Gebhardt, Hammond, Horrigan, Kellogg, Long, Longenecker, Malee, Mc-

Carthy, McFatridge, McGee, McLeod, Melin, Metlen, Moss (Custer), Murray, Newell, Potter, Roehl, Ryan, Spiegel, Stevens, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams. Total 40.

Absent and not voting: Acher, Brower, Daniel, Dunn, Kirscher, Leuthold, Listug, O'Connor, Siegling, Stromnes, Woods, Mr. Speaker. Total 12.

Substitute House Bill No. 59 was passed by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Baker, Balgord, Beadle, Back, Berthot, Bjorneby, Bower, Clark, Cole, (Petroleum), Cole (Prairie), Collins, DeDobbeleer, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Kellogg, Lambert, Laubach, Liggett, Lippard, Listug, Louchran, Lowe, Lynch, Malee, McCarthy, McFatridge, McKenna, Melin, Metlen, Morrison, Moss (Flathead), Murray, Newell, Padbury, Parker (Wibaux), Potter, Reed, Rice, Roehl, Ryan, Scofield, Sorte, Stewart, Sullivan, Vanderbeck, Wenger, Williams, Wilson, Mr. Speaker. Total 63.

Noes: Acton, Antrim, Armstrong, Brown, Byrne, Cannon, D'Ewart, Horrigan, James, Long, Longenecker, Martin, McClain, McGee, McLeod, Moss (Custer), Petersen, Spiegel, Stafford, Stevens, Tyler, Watson, Zuck. Total 23.

Absent and not voting: Acher, Aronson, Brower, Daniel, Ekern, Kirscher, Lehrkind, Leuthold, Miles, O'Connor, Parker (Flathead), Siegling, Stromnes, Woods. Total 14.

Passed their vote: Friedl, Smith. Total 2.

House Bill No. 159 passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Brown, Byrne, Clark, Cole, (Petroleum), Collins, DeDobbeleer, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Hess, Hoiness, Horrigan, James, Kellogg, Lambert, Laubach, Liggett, Lippard, Listug, Long, Loughran, Lynch, Malee, McCarthy, McClain, McFatridge, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer), Newell, Padbury, Parker (Wibaux), Parker, (Flathead), Petersen, Potter, Reed, Rice, Roehl, Smith, Stafford, Sullivan, Vanderbeck, Watson, Wenger, Williams, Wilson. Total 69.

Noes: Anderson (Cascade), Bower, Hageman, Lowe, Martin, Murray, Ryan, Scofield, Spiegel, Zuck. Total 10.

Absent and not voting: Acher, Brower, Cannon, Daniel, D'Ewart, Ekern, Green, Hammond, Kirscher, Lehrkind, Leuthold, Longenecker, O'Connor, Siegling, Sorte, Stevens, Stewart, Stromnes, Tyler, Woods, Mr. Speaker. Total 21.

Passed their vote: McGee and Cole (Prairie). Total 2.

House Bill No. 168 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Lambert, Laubach, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Newell, Padbury, Parker (Wibaux), Parker

(Flathead), Potter, Reed, Rice, Roehl, Ryan, Scofield, Sorte, Spiegel, Stafford, Stevens, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Mr. Speaker. Total 83.

Absent and not voting: Acher, Brower, Daniel, Dougherty, Ekern, Kirscher, Lehrkind, Leuthold, Malee, Metlen, Murray, O'Connor, Petersen, Siegling, Smith, Stewart, Stromnes, Woods, Zuck. Total 19.

Substitute House Bill No. 15 was passed by the following vote.

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Lambert, Laubach, Liggett, Lippard, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, Martin, McCarthy, McClain, McFatriddle, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 84.

Noes: Acton, D'Ewart, Long. Total 3.

Absent and not voting: Acher, Brower, Byrne, Daniel, Dougherty, Ekern, Kirscher, Lehrkind, Leuthold, Listug, Metlen, O'Connor, Siegling, Stromnes, Woods. Total 15.

The Speaker appointed the following Steering Committee under motion made by Moss of Flathead and Byrne, yesterday: Moss of Flathead, Chairman, McLeod, of Cascade, Hoiness of Yellowstone, James of Liberty and Dougherty of Powell.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 415, 416, 417, 317, 221, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

The Montana State College Concert Band, consisting of thirty-nine members, under the direction of Lou Howard, gave a concert before the members of the Senate and House in the House Chambers, and Hon. E. G. Toomey delivered an address on Abraham Lincoln.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Institutions, Buildings and Grounds, having had under consideration House Bill No. 273, respectfully report as follows: That House Bill No. 273 be amended by amending the title by changing one million five hundred thousand dollars to five hundred thousand dollars and by amending Section 1 by inserting after the words "not exceeding" five hundred thousand dollars instead of one million five hundred thousand dollars, and by amending Section 3 by inserting after the words "to exceed twenty years instead of thirty years.

Do pass as amended.

WENGER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 141, respectfully report as follows: That House Bill No. 141 do not pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration Senate Bill No. 5, respectfully report as follows: That Senate Bill No. 5 be not concurred in.

It was moved by Stromnes, duly seconded, that the report of the Committee be adopted. On substitute motion, it was moved by Spiegel, duly seconded and carried, that Senate Bill No. 5 be printed and placed on General Orders.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 226, respectfully report as follows: That House Bill No. 226 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 216, respectfully report as follows: That House Bill No. 216 do not pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 110, respectfully report as follows: That House Bill No. 110 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 293, respectfully report as follows: That House Bill No. 293 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 288, respectfully report as follows: That House Bill No. 288 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 287, respectfully reports as follows: That House Bill No. 287 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Development and Publicity having had under consideration House Joint Resolution No. 5, respectfully report as follows: That House Joint Resolution do pass.

MURRAY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Petroleum, Oil and Gas having had under consideration Senate Bill No. 39, respectfully report as follows: That Senate Bill No. 39 be concurred in.

BYRNE, Chairman.

Report adopted.

Mr. Speaker: We, the majority of your Committee on State Institutions, Buildings and Grounds having had under consideration House Bill No. 398, respectfully report as follows: That House Bill No. 398 do not pass.

WENGER, Chairman.
MORRISON,
EMSWILER,
GEBHARDT,
WATSON,
ACTON,
MILES.

Mr. Speaker: We, the minority of your Committee on State Institutions, Buildings and Grounds, having had under consideration House Bill No. 398, respectfully report as follows: That House Bill No. 398 do pass.

ANDERSON (Cascade),
MOSS (Custer),
CANNON.

It was moved by Morrison, duly seconded, that the report of the majority be adopted. On substitute motion, it was moved by Cannon duly seconded, that the report of the minority be adopted. Motion lost. Whereupon the report of the majority was adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 234, respectfully report as follows: That House Bill No. 234 do not pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 352, respectfully report as follows: That House Bill No. 352 do not pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 235, respectfully report as follows: That House Bill No. 235 do not pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 270, respectfully report as follows: That House Bill No. 270 do not pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 31, respectfully report as follows: That House Bill No. 31 be amended as follows:

"By striking out in line 15 of Section 1, after the words 'excess of', the words 'four hundred tons' and inserting in lieu thereof the words 'one hundred thousand tons'. And as amended do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices having had under consideration House Bill No. 232, respectfully report as follows: That House Bill No. 232 do not pass.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices having had under consideration House Bill No. 305, respectfully report as follows: That House Bill No. 305 do not pass.

It was moved by Freidl, duly seconded, that the report of the committee be adopted. On substitute motion, it was moved by McLeod, duly seconded, that House Bill No. 305 be printed and placed on General Orders. Motion was lost, whereupon motion to adopt committee report carried.

Mr. Speaker: We, your Committee on Livestock and Public Ranges having had under consideration Senate Bill No. 65, respectfully report as follows: That Senate Bill No. 65 be concurred in.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges having had under consideration Senate Bill No. 78, respectfully report as follows: That Senate Bill No. 78 be concurred in.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Insurance having had under consideration House Bill No. 357, respectfully report as follows: That House Bill No. 357 be amended as follows:

"In line eight (8) after the word 'policies' insert the word 'hereafter'."

"In line eleven (11) after the word 'shall' insert the word 'hereafter'."

"All of Section three (3) is to be stricken out."

And as amended do pass.

FRESHMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Institutions, Buildings and Grounds having had under consideration House Bill No. 181, respectfully report as follows: That House Bill No. 181 do not pass.

WENGER, Chairman.

It was moved by Wenger, duly seconded, that the report be adopted. On substitute motion, it was moved by Brown, duly seconded, that House Bill No. 181 be printed and placed on General Orders. Motion was lost, whereupon, motion to adopt the committee report carried.

Mr. Speaker: We, your Committee on State Institutions, Buildings and Grounds having had under consideration House Bill No. 285, respectfully report as follows: That House Bill No. 285 do not pass.

WENGER, Chairman.

Report adopted.

Mr. Speaker: We, the majority of your Committee on Education having had under consideration House Bill No. 332, respectfully report as follows: That House Bill No. 332 do pass.

LAMBERT, Chairman.

JAMES,

LONG,

McFATRIDGE,

McGEE,

MOSS (Flathead),

LEHRKIND.

Mr. Speaker: We, the minority of your Committee on Education having had under consideration House Bill No. 332, respectfully report as follows: That House Bill No. 332 do not pass.

MORRISON,
LONGENECKER,
ANDERSON, (Cascade),
O'CONNOR.

It was moved by Gebhardt, duly seconded, that the report of the majority be adopted. On substitute motion, it was moved by Morrison, duly seconded, that the report of the minority be adopted. Motion lost, whereupon, motion to adopt committee majority report carried.

Mr. Speaker: We, your Committee on Privileges and Elections having had under consideration Senate Bill No. 70, respectfully report as follows: That Senate Bill No. 70 be amended as follows:

"Insert a 'Comma (,)' after the word 'death' and following the comma (,) insert the word 'resignation'."

And as amended be concurred in.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections having had under consideration House Bill No. 146, respectfully report as follows: That House Bill No. 146 do not pass.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections having had under consideration Senate Bill No. 59, respectfully report as follows: That Senate Bill No. 59 be amended as follows:

"In Section I of paragraph II, line III insert the word 'real' between the words 'upon' and 'property'." "In Section I of paragraph III insert the word 'real' between the words 'upon' and 'property' of line IV."

And as amended be concurred in.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections having had under consideration Senate Bill No. 88, respectfully report as follows: That Senate Bill No. 88 be not concurred in.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 265, respectfully report as follows: That House Bill No. 265 do not pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 420, respectfully report as follows: That House Bill No. 420 do pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands having had under consideration House Bill No. 156, respectfully report as follows: That House Bill No. 156 do not pass.

SORTE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 264, respectfully report as follows: That House Bill No. 264, do pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 385, respectfully report as follows: That House Bill No. 385 be referred to the Judiciary Committee.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 266, respectfully report as follows: That House Bill No. 266 do not pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 261, respectfully report as follows: That House Bill No. 261 do pass.

LAMBERT, Chairman.

It was moved by Lambert, duly seconded, that the report of the Committee be adopted. On substitute motion, it was moved by McLeod, duly seconded and carried, that further action on House Bill No. 261, be indefinitely postponed.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 263, respectfully report as follows: That House Bill No. 263 do pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 377, respectfully report that House Bill No. 377 do not pass, but that Substitute House Bill No. 377, entitled: "An Act providing uniform transportation services for all public school pupils residing three or more miles from an open public school; defining 'transportation' for the purpose of this Act so as to include services furnished in lieu of transportation; providing that school boards may operate busses and contract for 'transportation' of pupils; providing that school boards may close schools and transport pupils to another school and providing that school boards shall pay for its pupils attending school in another district; providing that no school money shall be expended for 'transportation' except to persons or firms holding legal contracts for the same; providing requirements as to busses, drivers, and the operation of busses; fixing a schedule for individual 'transportation'; providing basis on which any child attending other than a public school may ride on a public school bus; designating who is eligible to receive 'transportation' from school districts; providing for the measurement of transportation distances in dispute and the settlement of transportation matters in controversy; providing for state reimbursement for transportation; providing a supplementary levy for transportation; and repealing Section 1010 of the Revised Codes of Montana of 1935." Do pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your majority of Constitutional Amendments Committee having had under consideration House Bill No. 211, respectfully report as follows: That House Bill No. 211 do not pass.

SPIEGEL,
LIPPARD,
DeDOBBELEER,
SORTE,
CLARK,
BROWER.

Mr. Speaker: We, your minority of Constitutional Amendments Committee, having had under consideration House Bill No. 211, respectfully report as follows: That House Bill No. 211 do pass.

STAFFORD, Chairman.
HOINESS,
MOSS (Flathead),
SMITH,
GOODWIN,

It was moved by Spiegel, duly seconded, that the report of the majority be adopted. On substitute motion, it was moved by Hoiness, duly seconded and carried, that the report of the minority be adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 26, 125, 185, 66.

COLE (Prairie),
Vice-Chairman.

Report adopted.

I have examined House Bill No. 125 introduced by me and find the same to be correct.

WENGER.

I have examined House Bill No. 185 introduced by me and find the same to be correct.

EMPLOYMENT COMMITTEE,
LAMBERT, Chairman.

I have examined House Bill No. 66 introduced by me and find the same to be correct.

SULLIVAN.

I have examined House Bill No. 26 introduced by me and find the same to be correct.

McCLAIN.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 97, 136, 163, 247, 194, 324, 335, 328 and 366.

RICE, Chairman.

Report adopted.

The Speaker signed the following in open session: House Bills Nos. 26, 125, 185 and 66.

MOTIONS AND RESOLUTIONS

It was moved by Spiegel, duly seconded and carried, that the House reconsider its action on Senate Bill No. 84.

It was moved by Spiegel, duly seconded and carried, that Senate Bill No. 84 be placed on Third Reading.

It was moved by Padbury, duly seconded and carried, that House Bill No. 382 be taken from General Orders and referred to the Committee on Judiciary.

It was moved by Anderson of Phillips, duly seconded and carried, that consideration of House Bill No. 334 be passed for the day.

It was moved by McLeod, duly seconded, that the House reconsider its action on House Bill No. 249. Motion was lost.

THIRD READING

The following, having been read three several times, title and history agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 179 was passed by the following vote:

Ayes: Anderson (Cascade), Antrim, Armstrong, Aronson, Beadle, Berthot, Bjerneby, Bower, Brown, Cannon, Clark, Cole (Petroleum), DeDobbeleer, Dougherty, Emswiler, Findlater, Freshman, Gebhardt, Goodwin, Hageman, Hess, Hoiness, Kellogg, Laubach, Liggett, Lippard, Loughran, Lowe, Lynch, McClain, McFatrige, McGee, McKenna, Moss (Custer), Murray, Newell, O'Connor, Parker (Wibaux), Potter, Rice, Ryan, Siegling, Stafford, Stevens, Stewart, Stromnes, Sullivan, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Sorte, Spiegel, Mr. Speaker. Total 56.

Noes: Acton, Anderson (Phillips), Baker, D'Ewart, Duncan, Dunn, Flynn, Friedl, Green, Hammond, James, Longenecker, Malee, Martin, Miles, Roehl. Total 16.

Absent and not voting: Acher, Balgord, Beck, Brower, Byrne, Cole (Prairie), Collins, Daniel, Ekern, Horrigan, Kirscher, Lambert, Lehrkind, Leuthold, Listug, Long, McCarthy, McLeod, Melin, Metlen, Morrison, Moss (Flathead), Padbury, Parker (Flathead), Petersen, Reed, Scofield, Smith, Tyler, Woods. Total 30.

House Bill No. 193 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Berthot, Bjerneby, Bower, Brown, Cannon, Clark, Cole (Petroleum), Collins, DeDobbeleer, Dougherty, Duncan, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McClain, McFatrige, McGee, McKenna, McLeod, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Parker (Wibaux), Petersen, Potter, Rice, Roehl, Ryan, Scofield, Siegling, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 79.

Noes: Anderson (Cascade). Total 1.

Absent and not voting: Acher, Beck, Brower, Byrne, Cole (Prairie), Daniel, D'Ewart, Dunn, Ekern, Lehrkind, Leuthold, McCarthy, Melin, Moss (Flathead), Padbury, Parker (Flathead), Reed, Smith, Sorte, Tyler, Vanderbeck, Woods. Total 22.

House Bill No. 239 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Balgord, Beadle, Berthot, Bjerneby, Bower, Brown, Byrne, Can-

non, Clark, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Lippard, Long, Loughran, Lowe, Lynch, Martin, McClain, McFatridge, McGee, McKenna, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, Parker (Wibaux), Petersen, Potter, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 75.

Noes: Longenecker, O'Connor. Total 2.

Absent and not voting: Acher, Armstrong, Baker, Beck, Brower, Cole (Petroleum), Cole (Prairie), Collins, Daniel, D'Ewart, Friedl, Hoiness, Leuthold, Listug, Malee, McCarthy, McLeod, Melin, Moss, (Flathead), Padbury, Parker (Flathead), Reed, Smith, Tyler, Woods. Total 25.

House Bill No. 410 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Balgord, Beadle, Bjorneby, Bower, Brown, Clark, Cole (Prairie), D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Lehrkind, Lippard, Listug, Longenecker, Loughran, Lynch, Malee, Martin, McFatridge, McGee, McKenna, Melin, Metlen, Morrison, Moss (Flathead), Murray, Newell, O'Connor, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Vanderbeck, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 68.

Absent and not voting: Acher, Anderson (Cascade), Aronson, Baker, Beck, Berthot, Brower, Byrne, Cannon, Cole (Petroleum), Collins, Daniel, DeDobbeleer, Freshman, Gebhardt, Hammond, Hess, Laubach, Leuthold, Liggett, Long, Lowe, McCarthy, McClain, McLeod, Miles, Moss (Custer), Padbury, Reed, Rice, Sullivan, Tyler, Watson, Woods. Total 34.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 200, 241 and 244.

RICE, Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that the House recess until 7:30 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 210, 75, 82, 54 and 138, were this day read three several times and concurred in, and are herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Joint Resolution No. 6, Senate Substitute Bill No. 31, and Senate Bills Nos. 99, 124, 104, 145, 85, 136; Senate Joint Memorial No. 13, Senate Joint Memorial No. 14, Senate Bills Nos. 151, 145, 129, 132, 127, 125, 139, 146 and 79 were this day read three several times, title and history agreed to and passed, and are herewith transmitted to the House for concurrence.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Lands having had under consideration House Bill No. 237, respectfully report as follows: That House Bill No. 237 be amended as follows:

"In Section II, paragraph II, line 30, strike out the quotation marks (") after the word 'years' and insert the following words thereafter: 'if the legislature raises the rentals for state grazing lands during the term of any leases of grazing land hereafter issued which are not issued as a result of competitive bidding the lessee shall, for the years after such increase becomes effective, pay such increased rental and the terms of grazing leases hereafter issued shall so provide'."

As amended do pass.

SORTE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands having had under consideration House Bill No. 381, respectfully report as follows: That House Bill No. 381 do not pass, but that Substitute House Bill No. 381: A Bill for an Act entitled: "An Act to amend Section 1805.79, Revised Codes of Montana, 1935, relating to the terms of payment upon a purchase of State land; and requiring bidders to include a certified check for not less than 10% of the total appraised sales price with his bid; and providing that a purchaser of State land shall make a payment on the day of sale."

SORTE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands having had under consideration House Bill No. 303, respectfully report as follows: That House Bill No. 303 be amended as follows:

"After the word 'who' strike out the words 'now' and 'or' from line II Section I and line I, Section II." As amended do pass.

SORTE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 172, 271, 282 and Substitute House Bill No. 217, beg leave to report that the same have this date been returned from the printer correctly printed.

MOSS (Flathead), Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Malee, duly seconded and carried, that consideration of House Bill No. 205 be passed for the day.

It was moved by Stafford, duly seconded, that the House reconsider its action on House Bill No. 316. Motion was lost.

INTRODUCTION OF BILLS

The following were introduced, read first and second time and referred to committees:

Senate Joint Resolution No. 6: Introduced by Dahl and all other members of the Twenty-sixth Legislative Assembly: A Resolution relating to the visit to the United States of America, of Crown Prince Olav, Crown Princess Martha, and their staff, of Norway. Referred to Committee on Federal Relations.

Senate Bill No. 99: Introduced by Committee on Agriculture: A Bill for an Act entitled: "An Act to amend the following sections of the Revised Codes of Montana, 1935; namely, Section 4208.2, relating to statement required on mixed fertilizer container; Section 4208.6, relating to samples of commercial fertilizer for tests and analysis; Section 4208.7, relating to the method of taking and preserving samples of commercial fertilizer and the manner of analyzing; Section 4208.9, relating to the report of analyses of commercial fertilizer and the payment of expenses; Section 4208.10, relating to the report of the chemist concerning analyses, fees, expenditures and disposal of surplus license fees." Referred to Committee on Agriculture.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Spiegel in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 43 do pass.

That the enacting clause be stricken from House Bill No. 233.

That House Bill No. 86 be re-referred to the Committee on Affairs of Cities.

That House Bill No. 359 do pass.

That House Bill No. 230 be amended as follows: Amend Section 1, line 13, printed bill, by inserting after the word "to" and before the word "all", the words "and jurisdiction over"; and as amended, do pass.

That House Bill No. 267 do pass.

That consideration of House Bills Nos. 42 and 72 and Substitute House Bill No. 128 be passed for the day.

That House Bill No. 115 be amended as follows: Amend the title after the word and figures "Section 1," by inserting the figure "3," to conform to the test of the bill, and as amended, do pass.

That the enacting clause be stricken from House Bill No. 178.

That House Bill No. 314 do pass.

That consideration of House Bill No. 320 be passed for the day.

That House Bill No. 346 do pass.

SPIEGEL, Chairman.

It was moved by Spiegel, duly seconded and carried, that House Bill No. 233 be segregated from the report of the Committee of the Whole. Whereupon the report of the Committee of the Whole was adopted, as amended.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration House Bill No. 337, respectfully report as follows: That House Bill No. 337 do not pass, but that Substitute House Bill No. 337 entitled: "An Act to amend Section 2396.3 of the Revised Codes of Montana of 1935 as amended by Chapter 102 of the Session Laws, Twenty-fifth Legislative Assembly of Montana, providing for the determination and use of and distribution of the State Highway Fund for construction purposes." Do pass.

LEHRKIND, Chairman.

Report adopted.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

Senate Bill No. 84 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson, (Cascade), Antrim, Armstrong, Baker, Beck, Berthot, Bjorneby, Bower, Brown, Byrne, Cole (Petroleum), Cole (Prairie), DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Green, Hageman, Hess, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Lippard, Longenecker, Loughran, Lowe, Lynch, McCarthy, McClain, McFatridge, McKenna, McLeod, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, Parker (Wibaux), Parker (Flathead), Potter, Rice, Roehl, Ryan, Smith, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 70.

Noes: Goodwin, Long. Total 2.

Absent and not voting: Acher, Aronson, Balgord, Beadle, Brower, Cannon, Clark, Collins, Daniel, Hammond, Hoiness, Horrigan, Leuthold, Listug, Malee, Martin, Metlen, O'Connor, Padbury, Petersen, Reed, Scofield, Siegling, Sorte, Stromnes, Vanderbeck, Watson, Woods, Melin. Total 29.

Passed their vote. McGee. Total 1.

House Bill No. 192 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Beck, Berthot, Bjorneby, Brown, Byrne, Cole (Petroleum), Cole (Prairie), DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Lippard, Long, Longenecker, Loughran, Lowe, Lynch, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, Parker (Wibaux), Potter, Rice, Roehl, Ryan, Smith, Spiegel, Stafford, Stevens, Stewart, Stromnes, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 67.

Noes: Miles. Total 1.

Absent and not voting: Acher, Aronson, Baker, Balgord, Beadle, Bower, Brower, Cannon, Clark, Collins, Daniel, D'Ewart, Hammond, Hoiness, Horrigan, Leuthold, Listug, Malee, Martin, Metlen, O'Connor, Padbury, Parker (Flathead), Petersen, Reed, Scofield, Siegling, Sorte, Sullivan, Tyler, Vanderbeck, Watson, Woods. Total 34.

House Bill No. 256 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Beck, Berthot, Bjorneby, Bower, Brown, Byrne, Cole (Petroleum), Cole (Prairie), Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Long, Longenecker, Loughran, Lowe, Lynch, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Miles, Morrison, Murray, Newell, Parker (Wibaux), Parker (Flathead), Potter, Rice, Roehl, Ryan, Spiegel, Stafford, Stevens, Stewart, Stromnes, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 64.

Absent and not voting: Acher, Aronson, Baker, Balgord, Beadle, Brower, Cannon, Clark, Collins, Daniel, DeDobbeleer, D'Ewart, Fresh-

man, Hammond, Horrigan, James, Leuthold, Lippard, Listug, Malee, Martin, Melin, Metlen, Moss (Flathead), Moss (Custer), O'Connor, Padbury, Petersen, Reed, Scofield, Siegling, Smith, Sorte, Sullivan, Tyler, Vanderbeck, Watson, Woods. Total 38.

House Bill No. 163 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Baker, Beck, Berthot, Bjorneby, Bower, Brown, Byrne, Cole (Prairie), DeDobbeleer, Dougherty, Dunn, Ekern, Emswiler, Findlater, Flynn, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Lippard, Long, Longenecker, Loughran, Lowe, Lynch, McCarthy, McClain, McFatridge, McGee, McKenna, Morrison, Moss (Custer), Parker (Wibaux), Parker (Flathead), Potter, Rice, Roehl, Ryan, Spiegel, Stafford, Stevens, Stewart, Stromnes, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 61.

Noes: D'Ewart, Duncan, Miles, Newell. Total 4.

Absent and not voting: Acher, Antrim, Aronson, Balgord, Beadle, Brower, Cannon, Clark, Cole (Petroleum), Collins, Daniel, Freshman, Hammond, Horrigan, Lehrkind, Leuthold, Listug, Malee, Martin, McLeod, Melin, Metlin, Moss (Flathead), Murray, O'Connor, Padbury, Petersen, Reed, Scofield, Siegling, Smith, Sorte, Sullivan, Tyler, Vanderbeck, Watson, Woods. Total 37.

House Bill No. 137 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Baker, Beck, Berthot, Bjorneby, Bower, Brown, Cole (Prairie), DeDobbeleer, D'Ewart, Dougherty, Dunn, Ekern, Findlater, Freshman, Friedl, Gebhardt, Goodwin, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Lippard, Long, Longenecker, Loughran, Lynch, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Parker (Wibaux), Rice, Roehl, Ryan, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Wenger, Williams, Zuck, Mr. Speaker. Total 58.

Noes: Antrim, Armstrong, Byrne, Cole (Petroleum), Duncan, Emswiler, Flynn, Green, Hageman, Lowe, Newell, Parker (Flathead), Potter, Tyler, Wilson. Total 15.

Absent and not voting: Acher, Aronson, Balgord, Beadle, Brower, Cannon, Clark, Collins, Daniel, Hammond, Horrigan, Lehrkind, Leuthold, Listug, Malee, Martin, Melin, Metlen, O'Connor, Padbury, Petersen, Reed, Scofield, Siegling, Smith, Sorte, Vanderbeck, Watson, Woods. Total 29.

House Bill No. 191 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Baker, Berthot, Bjorneby, Bower, Byrne, Cole (Petroleum), Cole (Prairie), DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Lippard, Longenecker, Loughran, Lynch, McCarthy, McFatridge, McGee, McKenna, Miles, Morrison, Moss, (Custer), Newell, Parker (Wibaux), Parker (Flathead), Potter, Rice, Roehl, Smith, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Wenger, Williams, Wilson, Mr. Speaker. Total 62.

Noes: Aronson, Brown, Flynn, Long, McClain, Murray, Ryan. Total 7.

Absent and not voting: Acher, Anderson (Cascade), Balgord, Beadle, Beck, Brower, Cannon, Clark, Collins, Daniel, Hammond, Horrigan, Lehrkind, Leuthold, Listug, Lowe, Malee, McLeod, Melin, Metlen, Moss (Flat-

head), O'Connor, Padbury, Petersen, Reed, Scofield, Siegling, Sorte, Vanderbeck, Watson, Woods, Zuck, Martin. Total 33.

House Bill No. 206 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Baker, Beck, Berthot, Bjorneby, Bower, Brown, Byrne, Cole (Petroleum), Cole (Prairie), DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Kellogg, Kirscher, Laubach, Liggett, Lippard, Long, Longenecker, Loughran, Lowe, McCarthy, McClain, McFatridge, McGee, McKenna, Miles, Morrison, Moss (Custer), Newell, Parker (Wibaux), Parker, (Flathead), Potter, Rice, Roehl, Ryan, Spiegel, Stevens, Stewart, Tyler, Wenger, Williams, Wilson, Mr. Speaker. Total 62.

Noes: Hoiness, Stafford, Stromnes, Sullivan, Zuck. Total 5.

Absent and not voting: Acher, Aronson, Balgord, Beadle, Brower, Cannon, Clark, Collins, Daniel, Hammond, Horrigan, James, Lambert, Lehrkind, Leuthold, Listug, Lynch, Martin, McLeod, Melin, Metlen, Moss, (Flathead), Murray, O'Connor, Padbury, Petersen, Reed, Scofield, Siegling, Smith, Sorte, Vanderbeck, Watson, Woods. Total 35.

House Bill No. 213 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Baker, Beck, Berthot, Bjorneby, Bower, Byrne, Cole (Petroleum), Cole (Prairie), D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hoiness, James, Kellogg, Kirscher, Laubach, Liggett, Lippard, Longenecker, Loughran, Lowe, Lynch, McClain, McFatridge, McKenna, Miles, Morrison, Moss (Flathead), Moss (Custer), Parker (Wibaux), Parker (Flathead), Potter, Rice, Roehl, Spiegel, Stafford, Stevens, Stewart, Stromnes, Tyler, Wenger, Williams, Zuck, Mr. Speaker. Total 59.

Noes: Anderson (Cascade), Brown, DeDobbeleer, Hess, Long, McGee, Newell, Ryan, Sullivan, Wilson. Total 10.

Absent and not voting: Acher, Aronson, Balgord, Beadle, Brower, Cannon, Clark, Collins, Daniel, Hammond, Horrigan, Lambert, Lehrkind, Leuthold, Listug, Malee, Martin, McCarthy, McLeod, Metlen, Melin, Murray, O'Connor, Padbury, Petersen, Reed, Scofield, Siegling, Smith, Sorte, Vanderbeck, Watson, Woods. Total 33.

House Bill No. 245 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Baker, Beck, Berthot, Bjorneby, Bower, Brown, Cole (Petroleum), Cole (Prairie), DeDobbeleer, Dougherty, Duncan, Ekern, Emswiler, Gebhardt, Green, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Lippard, Longenecker, Loughran, Lowe, Lynch, McFatridge, McKenna, Miles, Morrison, Moss (Custer), Parker (Wibaux), Parker (Flathead), Potter, Rice, Roehl, Spiegel, Stafford, Stevens, Stewart, Stromnes, Tyler, Wenger, Williams, Zuck, Mr. Speaker. Total 52.

Noes: D'Ewart, Findlater, Flynn, Freshman, Friedl, Goodwin, Long, McCarthy, McClain, Newell, Ryan, Sullivan, Wilson. Total 13.

Absent and not voting: Acher, Anderson (Cascade), Aronson, Balgord, Beadle, Brower, Byrne, Cannon, Clark, Collins, Daniel, Dunn, Hageman, Hammond, Horrigan, Lehrkind, Leuthold, Listug, Malee, Martin, McGee, McLeod, Melin, Metlen, Moss (Flathead), Murray, O'Connor, Padbury, Petersen, Reed, Scofield, Siegling, Smith, Sorte, Vanderbeck, Watson, Woods. Total 37.

House Bill No. 289 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Baker, Beck, Berthot, Bjorneby, Bower, Brown, Cole (Petroleum), Cole (Prairie), DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Lippard, Long, Longenecker, Loughran, Lowe, McCarthy, McClain, McFatridge, McGee, McKenna, Miles, Morrison, Moss (Custer), Newell, Parker (Wibaux), Parker (Flathead), Potter, Rice, Roehl, Ryan, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 66.

Absent and not voting: Acher, Aronson, Balgord, Beadle, Brower, Byrne, Cannon, Clark, Collins, Daniel, Ekern, Hammond, Hoiness, Horrigan, Lehrkind, Leuthold, Listug, Lynch, Malee, Martin, McLeod, Melin, Metlen, Moss (Flathead), Murray, O'Connor, Padbury, Petersen, Reed, Scofield, Siegling, Smith, Sorte, Vanderbeck, Watson, Woods. Total 36.

House Bill No. 299 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Baker, Beck, Berthot, Bjorneby, Bower, Brown, Cole (Prairie), DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Lambert, Laubach, Liggett, Lippard, Long, Loughran, Lowe, Lynch, McFatridge, McGee, Miles, Morrison, Moss (Flathead), Moss (Custer), Newell, Parker (Flathead), Potter, Rice, Roehl, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 61.

Noes: Armstrong, Byrne, Dougherty, Green, Longenecker, McKenna, Ryan. Total 7.

Absent and not voting: Acher, Aronson, Balgord, Beadle, Brower, Cannon, Clark, Cole (Petroleum), Collins, Daniel, Kirscher, Lehrkind, Leuthold, Listug, Malee, Martin, McCarthy, McClain, McLeod, Melin, Metlen, Murray, O'Connor, Padbury, Parker (Wibaux), Petersen, Reed, Scofield, Siegling, Smith, Sorte, Vanderbeck, Watson, Woods. Total 34.

House Bill No. 329 failed to pass by the following vote:

Ayes: Antrim, Berthot, Byrne, Cole (Prairie), Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Green, Hageman, Hoiness, Kellogg, Kirscher, Lambert, Lippard, Lowe, Lynch, McKenna, Miles, Morrison, Potter, Smith, Stafford, Stromnes, Zuck, Mr. Speaker. Total 31.

Noes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Baker, Beck, Bjorneby, Bower, Brown, DeDobbeleer, D'Ewart, Friedl, Goodwin, Hammond, Hess, James, Laubach, Liggett, Long, Longenecker, McCarthy, McClain, McFatridge, McGee, McLeod, Moss (Flathead), Moss (Custer), Murray, Newell, Parker (Wibaux), Parker (Flathead), Rice, Roehl, Ryan, Siegling, Spiegel, Stevens, Stewart, Sullivan, Tyler, Wenger, Williams, Wilson. Total 43.

Absent and not voting: Acher, Aronson, Balgord, Beadle, Brower, Cannon, Clark, Cole (Petroleum), Collins, Daniel, Horrigan, Lehrkind, Leuthold, Listug, Loughran, Malee, Martin, Melin, Metlen, O'Connor, Padbury, Petersen, Reed, Scofield, Sorte, Vanderbeck, Watson, Woods. Total 28.

House Bill No. 345 passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Baker, Beck, Berthot, Bjorneby, Bower, Brown, Byrne, Cole (Petroleum), Cole (Prairie), DeDobbeleer, D'Ewart, Dougherty, Duncan,

Dunn, Ekern, Emswiler, Findlater, Flynn, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Lippard, Long, Longenecker, Loughran, Lowe, Lynch, McCarthy, McClain, McFatridge, McGee, McKenna, Morrison, Moss (Custer), Murray, Newell, Parker (Wibaux), Parker (Flathead), Potter, Rice, Roehl, Ryan, Spiegel, Stafford, Stewart, Sullivan, Tyler, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 68.

Absent and not voting: Acher, Aronson, Balgord, Beadle, Brower, Cannon, Clark, Collins, Daniels, Freshman, Horrigan, Lehrkind, Leuthold, Listug, Malee, Martin, McLeod, Melin, Metlen, Miles, Moss (Flathead), O'Connor, Padbury, Petersen, Reed, Scofield, Siegling, Smith, Sorte, Stevens, Stromnes, Vanderbeck, Watson, Woods. Total 34.

House Bill No. 97 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Baker, Balgord, Beck, Bjerneby, Brown, Byrne, Cole (Petroleum), Cole (Prairie), DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Lippard, Long, Longenecker, Loughran, Lowe, Lynch, McCarthy, McClain, McGee, McKenna, Morrison, Moss (Flathead), Moss (Custer), Newell, Parker (Wibaux), Parker (Flathead), Potter, Roehl, Ryan, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 68.

Absent and not voting: Acher, Aronson, Beadle, Berthot, Bower, Brower, Cannon, Clark, Collins, Daniel, Horrigan, Lehrkind, Leuthold, Listug, Malee, Martin, McFatridge, McLeod, Melin, Metlen, Miles, Murray, O'Connor, Padbury, Petersen, Reed, Rice, Scofield, Siegling, Smith, Sorte, Vanderbeck, Watson, Woods. Total 34.

House Bill No. 136 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Beck, Berthot, Bjerneby, Bower, Brown, Byrne, Cole (Petroleum), Cole (Prairie), D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Longenecker, Loughran, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, Parker (Wibaux), Parker (Flathead), Potter, Rice, Roehl, Ryan, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 65.

Noes: Green, Long, Lowe, Miles. Total 4.

Absent and not voting: Acher, Antrim, Armstrong, Balgord, Beadle, Brower, Cannon, Clark, Collins, Daniel, DeDobbeleer, Hageman, Horrigan, Lehrkind, Leuthold, Lippard, Listug, Lynch, Malee, Martin, Melin, Metlen, O'Connor, Padbury, Petersen, Reed, Scofield, Siegling, Smith, Sorte, Vanderbeck, Watson, Woods. Total 33.

House Bill No. 247 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Baker, Berthot, Bjerneby, Bower, Cole (Petroleum), Cole (Prairie), DeDobbeleer, Dougherty, Duncan, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hammond, Hoiness, Kellogg, Kirscher, Laubach, Liggett, Lippard, Long, Longenecker, Loughran, Lowe, Lynch, McClain, McFatridge, McGee, McKenna, Miles, Morrison, Moss (Custer), Newell, Parker (Wibaux), Parker (Flathead), Potter, Roehl, Ryan, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 60.

Noes: Brown, Byrne, D'Ewart, Hess, James, Lambert, McCarthy, Total 7.

Absent and not voting: Acher, Antrim, Balgord, Beadle, Beck, Brower, Cannon, Clark, Collins, Daniel, Dunn, Hageman, Horrigan, Lehrkind, Leuthold, Listug, Malee, Martin, McLeod, Melin, Metlen, Moss (Flathead), Murray, O'Connor, Padbury, Petersen, Reed, Rice, Scofield, Siegling, Smith, Sorte, Vanderbeck, Watson, Woods. Total 35.

House Bill No. 335 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Baker, Beck, Berthot, Bjerneby, Bower, Byrne, Cole (Petroleum), DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Long, Longenecker, Loughran, Lynch, McCarthy, McFatridge, McGee, McKenna, McLeod, Miles, Morrison, Moss (Flathead), Moss (Custer), Newell, Parker (Wibaux), Parker (Flathead), Potter, Rice, Roehl, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Wenger, Williams, Wilson, Zuck. Total 64.

Noes: Brown, Friedl, McClain, Ryan, Stromnes. Total 5.

Absent and not voting: Acher, Antrim, Balgord, Beadle, Brower, Cannon, Clark, Cole (Prairie), Collins, Daniel, Horrigan, Lehrkind, Leuthold, Lippard, Listug, Lowe, Malee, Martin, Melin, Metlen, Murray, O'Connor, Padbury, Petersen, Reed, Scofield, Siegling, Smith, Tyler, Vanderbeck, Watson, Woods, Mr. Speaker. Total 33.

House Bill No. 194 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Armstrong, Balgord, Berthot, Bjerneby, Bower, Cole (Petroleum), Cole (Prairie), DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Goodwin, Liggett, Lippard, Longenecker, Lowe, McFatridge, Miles, Moss (Custer), Newell, Parker (Wibaux), Parker (Flathead), Potter, Rice, Roehl, Stafford, Stevens, Wenger, Williams, Wilson, Flynn. Total 39.

Noes: Anderson (Cascade), Beck, Brown, Byrne, Green, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Long, Loughran, Lynch, McCarthy, McClain, McGee, McKenna, Morrison, Ryan, Spiegel, Stromnes, Sullivan, Tyler, Zuck. Total 26.

Absent and not voting: Acher, Antrim, Aronson, Baker, Beadle, Brower, Cannon, Clark, Collins, Daniel, Ekern, Hageman, Hammond, Horrigan, Lehrkind, Leuthold, Listug, Malee, Martin, McLeod, Melin, Metlen, Moss (Flathead), Murray, O'Connor, Padbury, Petersen, Reed, Scofield, Siegling, Smith, Sorte, Stewart, Vanderbeck, Watson, Woods, Mr. Speaker. Total 37.

House Bill No. 324 failed to pass by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Aronson, Bjerneby, Cole (Petroleum), Cole (Prairie), D'Ewart, Dougherty, Dunn, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Hageman, Hammond, Kellogg, Liggett, Lowe, McClain, McFatridge, McLeod, Miles, Newell, Parker (Wibaux), Smith, Stafford, Stromnes, Sullivan, Wenger, Williams, Wilson. Total 32.

Noes: Acton, Armstrong, Baker, Beck, Berthot, Bower, Brown, Byrne, DeDobbeleer, Duncan, Ekern, Flynn, Goodwin, Green, Hess, Hoiness, James, Lambert, Laubach, Lippard, Longenecker, Loughran, Lynch, McCarthy, McGee, McKenna, Morrison, Moss (Custer), Parker (Flathead), Rice, Roehl, Ryan, Sorte, Spiegel, Stevens, Zuck. Total 36.

Absent and not voting: Acher, Antrim, Balgord, Beadle, Brower, Cannon, Clark, Collins, Daniel, Horrigan, Kirscher, Lehrkind, Leuthold, Listug, Long, Malee, Martin, Melin, Metlen, Moss (Flathead), Murray, O'Connor, Padbury, Petersen, Potter, Reed, Scofield, Siegling, Stewart, Tyler, Vanderbeck, Watson, Woods, Mr. Speaker. Total 34.

House Bill No. 328 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Berthot, Bjorneby, Cole (Petroleum), Cole (Prairie), D'Ewart, Dougherty, Dunn, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hammond, Kellogg, Kirscher, Laubach, Liggett, Long, Loughran, Lowe, Lynch, McCarthy, McFatrige, McLeod, Moss (Custer), Newell, Parker (Wibaux), Poter, Rice, Roehl, Spiegel, Stafford, Stewart, Stromnes, Sullivan, Wenger, Williams, Wilson, Zuck. Total 45.

Noes: Armstrong, Beck, Bower, Brown, DeDobbeleer, Duncan, Friedl, Hess, James, Lambert, Longenecker, McClain, McGee, McKenna Parker (Flathead), Ryan, Stevens, Tyler. Total 18.

Absent and not voting: Acher, Antrim, Balgord, Beadle, Brower, Byrne, Cannon, Clark, Collins, Daniel, Ekern, Emswiler, Hageman, Hoiness, Horrigan, Lehrkind, Leuthold, Lippard, Listug, Malee, Martin, Melin, Metlin, Miles, Morrison, Moss (Flathead), Murray, O'Connor, Padbury, Petersen, Reed, Scofield, Siegling, Smith, Sorte, Vanderbeck, Watson, Woods, Mr. Speaker. Total 39.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Affairs of Cities having had under consideration House Bill No. 86, respectfully report as follows: That House Bill No. 86 do not pass and that Substitute House Bill No. 86: A Bill for an Act entitled: "An Act permitting the creation of a department of water works in cities of the first and second class, except cities operating under the commission form of government, owning and operating a water works, providing for building extensions and additions to such water works, and for the operating, maintenance and management thereof, authorizing the issuance and sale of bonds payable from revenues of such water works, and providing for the handling and payment of accounts of such water works, and permitting cities of the third class to create a department of water works under the provisions of this Act."

Do pass.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 201, 214 and 255; House Joint Joint Memorial No. 16.

RICE, Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Tuesday, February 14th, 1939, at 9:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

FORTY-FOURTH DAY

House of Representatives,
Helena, Montana,
February 14, 1939.

House convened, pursuant to adjournment, at 9:00 o'clock A. M.
Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Acher and Watson.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Forty-third Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 157, respectfully report as follows: That House Bill No. 157 do not pass, but that Substitute House Bill No. 157: A Bill for an Act entitled: "An Act to permit payment of delinquent installments on certificates of purchase of State lands without paying penalty interest, providing such installments be paid on or before December 1, 1940." Do pass.

SORTE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 158, respectfully report as follows: That House Bill No. 158 do not pass, but that Substitute House Bill No. 158: A Bill for an Act entitled: "An Act to amend Section 1805.88, Revised Codes of Montana, 1935, and relating to default in payment of installments on certificate of purchase of state lands, providing for the conversion and renewal of existing contracts for the repurchase of state lands and relating to the reinstatement of cancelled certificates of purchase." Do pass.

SORTE, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 56, having this day failed in concurrence in the Senate is herewith returned to the House.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Friedl, duly seconded, that the House reconsider its action on House Bill No. 270. Motion was lost.

It was moved by Stromnes, duly seconded and carried, that the House reconsider its action on House Bill No. 266.

It was moved by Stevens, duly seconded and carried, that House Bill No. 266 be re-referred to the Committee on Education.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bills Nos. 314, 346 and 359, beg leave to recommend that the same be considered correctly engrossed.

RICE Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following were introduced, by unanimous consent of the House, read first and second time: All appropriation measures having been read at length, and were referred to committees.

House Bill No. 421, introduced by the Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money for the payment of per diem to the officers and attaches and for incidental expenses of the Twenty-sixth Legislative Assembly of the State of Montana." Referred to Committee on Appropriations.

House Joint Memorial No. 18, introduced by D'Ewart: A Memorial to the Congress of the United States of America requesting the passage of House Resolution No. 3320 and Senate Bill No. 572 both of which bills are identical in form, and are for the purpose of providing for the common defense by acquiring stocks of strategic and critical raw materials, concentrates and alloys essential to the needs of industry for the manufacture of supplies for the armed forces and the civilian population in time of national emergency, and for other purposes. Referred to the Committee on Federal Relations.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows: All appropriation measures having been read at length.

House Bill No. 366 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Baker, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Byrne, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, James, Kellogg, Lambert, Laubach, Lippard, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatrige, McKenna, McLeod, Miles, Moss (Custer), Newell, O'Connor, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Roehl, Ryan, Siegling, Stafford, Stevens, Stewart, Tyler, Wenger, Williams, Wilson, Woods, Zuck, Spiegel, and Mr. Speaker. Total 68.

Absent and not voting: Acher, Aronson, Balgord, Brower, Cannon, Clark, Cole (Prairie), Dougherty, Ekern, Freshman, Gebhardt, Hess, Horrigan, Kirscher, Lehrkind, Leuthold, Liggett, Listug, Malee, McGee, Metlen, Morrison, Moss (Flathead), Murray, Padbury, Petersen, Scofield, Smith, Sorte, Stromnes, Sullivan, Vanderbeck, Melin and Watson. Total 34.

House Bill No. 200 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Beadle, Berthot, Bower, Brown, Byrne, D'Ewart, Duncan, Ekern, Emswiler, Findlater, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, Moss (Flathead), Newell, O'Connor, Parker (Wibaux), Parker (Flathead), Potter, Reed, Scofield, Siegling, Sorte, Stafford, Stevens, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 47.

Noes: Anderson (Cascade), Baker, Beck, Bjorneby, Cole (Petroleum), Collins, Daniel, Flynn, Long, Martin, McCarthy, McClain, McLeod, Miles, Moss (Custer), Rice, Roehl, Ryan, Spiegel. Total 19.

Absent and not voting: Acher, Antrim, Armstrong, Aronson, Balgord, Brower, Cannon, Clark, Cole (Prairie), DeDobbeleer, Dougherty, Dunn, Freshman, Gebhardt, Hess, Horrigan, Lehrkind, Leuthold, Liggett, Malee, McFatrige, McGee, McKenna, Melin, Metlen, Morrison, Murray, Padbury, Petersen, Smith, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, and Watson. Total 36.

House Bill No. 244 was passed by the following vote:

Ayes: Anderson (Phillips), Antrim, Aronson, Beck, Berthot, Bjorneby, Bower, Brown, Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart,

Dunn, Ekern, Emswiler, Friedl, Goodwin, Hammond, Hoiness, James, Kellogg, Lambert, Laubach, Lippard, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McKenna, McLeod, Miles, Moss (Custer), Newell, O'Connor, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Scofield, Sort, Spiegel, Stevens, Stewart, Tyler, Wenger, Wilson, Woods, Mr. Speaker. Total 54.

Noes: Beadle, Byrne, Cole (Petroleum), Duncan, Flynn, Green, Hageman, Ryan, Siegling, Stafford and Zuck. Total 11.

Absent and not voting: Acher, Acton, Anderson (Cascade), Armstrong, Baker, Balgord, Brower, Cannon, Clark, Dougherty, Findlater, Freshman, Gebhardt, Hess, Horrigan, Kirscher, Lehrkind, Leuthold, Liggett, Listug, Malee, McFatridge, McGee, Melin, Metlen, Morrison, Moss (Flathead), Murray, Padbury, Petersen, Roehl, Smith, Stromnes, Sullivan, Vanderbeck, Watson and Williams. Total 37.

House Bill No. 241 was passed by the following vote:

Ayes: Anderson (Phillips), Baker, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Byrne, Cole (Petroleum), Cole (Prairie), Collins, Daniel, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, James, Kellogg, Lambert, Laubach, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McKenna, Miles, Moss (Custer), Newell, O'Connor, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Ryan, Scofield, Siegling, Sort, Spiegel, Stafford, Stevens, Stewart, Tyler, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 64.

Absent and not voting: Acher, Acton, Anderson (Cascade) Antrim, Armstrong, Aronson, Balgord, Brower, Cannon, Clark, DeDobbeleer, Dougherty, Findlater, Freshman, Gebhardt, Hess, Horrigan, Kirscher, Lehrkind, Leuthold, Liggett, Malee, McFatridge, McGee, McLeod, Metlen, Morrison, Moss (Flathead), Murray, Padbury, Petersen, Roehl, Smith, Stromnes, Sullivan, Vanderbeck, Watson and Melin. Total 38.

House Bill No. 361 failed to pass by the following vote:

Ayes: Anderson (Cascade), Beadle, Bjorneby, Brown, Daniel, Ekern, Flynn, Friedl, Goodwin, Kirscher, Lambert, Longenecker, Loughran, McCarthy, McGee, McLeod, Moss (Custer), Newell, Parker (Wibaux), Ryan, Spiegel, Stafford, Wenger, Wilson and Mr. Speaker. Total 25.

Noes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Beck, Bower, Byrne, Cole (Petroleum), Cole (Prairie), DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Green, Hageman, Hammond, Hoiness, James, Kellogg, Laubach, Lippard, Long, Lowe, Lynch, Martin, McClain, McFatridge, McKenna, Miles, Morrison, Moss (Flathead), Parker (Flathead), Reed, Rice, Roehl, Scofield, Sort, Stevens, Stewart, Stromnes, Williams, Woods and Zuck. Total 48.

Absent and not voting: Acher, Balgord, Berthot, Brower, Cannon, Clark, Collins, Freshman, Gebhardt, Hess, Horrigan, Lehrkind, Leuthold, Liggett, Listug, Malee, Melin, Metlen, Murray, O'Connor, Padbury, Petersen, Potter, Siegling, Smith, Sullivan, Tyler, Vanderbeck and Watson. Total 29.

House Bill No. 390 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Byrne, Cole (Prairie), Collins, Daniel, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lippard, Loughran, Lowe, Lynch, McCarthy, McClain, McFatridge, McGee, Mc-

Kenna, McLeod, Miles, Morrison, Moss (Flathead), Newell, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Roehl, Ryan, Scofield, Sorie, Stafford, Stevens, Stewart, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 68.

Noes: Long, Martin and Tyler. Total 3.

Absent and not voting: Acher, Baker, Balgord, Brower, Cannon, Clark, Cole (Petroleum), DeDobbeleer, Freshman, Gebhardt, Hess, Lehrkind, Leuthold, Liggett, Listug, Longenecker, Malee, Melin, Metlen, Moss, (Custer), Murray, O'Connor, Padbury, Petersen, Siegling, Smith, Spiegel, Stromnes, Sullivan, Vanderbeck and Watson. Total 31.

House Bill No. 409 was passed by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lippard, Long, Loughran, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Miles, Morrison, Newell, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Roehl, Ryan, Scofield, Sorte, Stafford, Stevens, Stewart, Tyler, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 66.

Noes: Acton. Total 1.

Absent and not voting: Acher, Baker, Balgord, Brower, Byrne, Cannon, Clark, Dougherty, Ekern, Freshman, Gebhardt, Hess, Horrikan, Lehrkind, Leuthold, Liggett, Listug, Longenecker, Lowe, Malee, Melin, Metlen, Moss (Flathead), Moss (Custer), Murray, O'Connor, Padbury, Petersen, Siegling, Smith, Spiegel, Stromnes, Sullivan, Vanderbeck, and Watson. Total 35.

Substitute House Bill No. 10 was passed by the following vote:

Ayes: Acton, Anderosn (Cascade), Beadle, Beck, Bjorneby, Bower, Brown, DeDobbeleer, D'Ewart, Duncan, Dunn, Emswiler, Findlater, Flynn, Friedl, Goodwin, Hageman, Lambert, Lippard, Long, Loughran, Lynch, McCarthy, McClain, McGee, McKenna, McLeod, Miles, Newell, Parker (Wibaux), Reed, Ryan, Scofield, Sorte, Stafford, Stevens, Stewart, Tyler, Wenger, Williams, Zuck and Mr. Speaker. Total 42.

Noes: Anderson (Phillips), Antrim, Armstrong, Berthot, Cole (Petroleum), Cole (Prairie), Collins, Daniel, Green, Hammond, Hoiness, Horrikan, James, Kellogg, Kirscher, Laubach, Martin, McFatridge, Morrison, Moss (Custer), Potter, Rice, Roehl, Wilson and Woods. Total 25.

Absent and not voting: Acher, Aronson, Baker, Balgord, Brower, Byrne, Cannon, Clark, Dougherty, Ekern, Freshman, Gebhardt, Hess, Lehrkind, Leuthold, Liggett, Listug, Longenecker, Lowe, Malee, Melin, Metlen, Moss (Flathead), Murray, O'Connor, Padbury, Parker (Flathead), Petersen, Siegling, Smith, Spiegel, Stromnes, Sullivan, Vanderbeck, Watson. Total 35.

House Bill No. 363 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Beadle, Beck, Berthot, Bower, Brower, Brown, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, James, Kellogg, Lambert, Laubach, Lehrkind, Liggett, Listug, Long, Longenecker, Loughran, Martin, McClain, McFatridge, McGee, McKenna, McLeod, Miles, Moss (Custer), Newell, Parker (Wibaux),

Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Stevens, Stewart, Sullivan, Tyler, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 65.

Absent and not voting: Acher, Baker, Balgord, Bjerneby, Byrne, Cannon, Clark, D'Ewart, Ekern, Emswiler, Freshman, Gebhardt, Hess, Horrigan, Kirscher, Leuthold, Lippard, Lowe, Lynch, Malee, McCarthy, Melin, Metlen, Morrison, Moss (Flathead), Murray, O'Connor, Padbury, Parker (Flathead), Petersen, Smith, Spiegel, Stafford, Stromnes, Vanderbeck, Watson and Wenger. Total 37.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 188, beg leave to report that the same has this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 356, respectfully report as follows: That House Bill No. 356 do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 266, respectfully report as follows: That House Bill No. 266 be referred to the Judiciary Committee.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Joint Resolution No. 4, respectfully report as follows: That House Joint Resolution No. 4 be amended as follows:

Strike out; in twentieth line, second page; "that the sum of five hundred dollars (\$500.00)"; and add in lieu thereof: "that the sum of three hundred dollars (\$300.00)"; and as amended do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 421, respectfully report as follows: That House Bill No. 421 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 144, respectfully report as follows: That House Bill No. 144 be amended:

By inserting between lines four (4) and five (5) on page two (2) Section 1, of the original bill, the following:

"For each Fraternal Organization, one hundred dollars (\$100.00) per annum, provided that "Fraternal Organizations" as here used includes only those Lodges and Associations having a known and defined existence.

For each club, one hundred dollars (\$100.00) per annum, provided that "Club" as here used means an association of persons for the promotion of some common object other than the sale of liquor, with a permanent membership into which admission cannot be obtained by any person at

his pleasure and primarily operated for the benefit of its members and not for the gain or profit of its operators.

It shall be unlawful for any Fraternal "Organization" or "Club" to sell or serve liquor to the public as a commercial business and the Board may at any time require such Fraternal Organization or Club to furnish evidence of its bona fide existence and may refuse or suspend a license if found not to conform to this Act or Acts in violation of the provisions hereof." And as amended do pass.

METLEN, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Hoiness, duly seconded and carried, that House Bill No. 331 be taken from the Printing Committee and re-referred to the Committee on Appropriations.

It was moved by Goodwin, duly seconded and carried, that House Bill No. 96 be returned from the Senate for the purpose of amendment.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

McLeod in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 42 do pass.

That consideration of House Bill No. 201 be passed temporarily.

That the enacting clause be stricken from House Bill No. 72.

That House Bill No. 205 be re-referred to the Committee on Fish and Game.

That House Bill No. 334 be re-referred to the Committee on Affairs of Cities.

That House Bills Nos. 320 and 258 do pass.

That Substitute House Bill No. 128 be amended as follows: Amend Section 13, line 4, by striking the words and figures "seventy-five cents (75c)" and inserting in lieu thereof the words and figures "fifty cents (50c)" and that the Chief Clerk be instructed to strike out the words and figures "seventy-five cents (75c)" and insert in lieu thereof the words and figures "fifty cents (50c)" wherever it appears in the bill, and as amended, do pass.

McLEOD, Chairman.

It was moved by McLeod, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Smith, duly seconded and carried, that House Bill No. 72 be segregated from the report of the Committee of the Whole. Whereupon the report of the Committee of the Whole was adopted, as amended.

MESSAGES FROM THE SENATE

Mr. Speaker I am directed by the Senate to inform your Honorable Body that the Senate did on this day upon roll call, refuse to comply with the request of the House for the return of House Bill No. 96.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

It was moved by McLeod, duly seconded and carried, that the House recess until 3:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Printing, to who was referred House Bills Nos. 170, 306 and 323, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 82, 210 and 75.

COLE, Vice-Chairman.

Report adopted.

I have examined House Bill No. 75 introduced by me and find the same to be correct.

PARKER.

I have examined House Bill No. 82 introduced by me and find the same to be correct.

JUDICIARY COMMITTEE,
SMITH, Vice-Chairman.

I have examined House Bill No. 210 introduced by me and find the same to be correct.

METLEN.

The Speaker signed the following in open session: House Bills Nos. 82, 210 and 75.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Horticulture, having had under consideration Senate Bill No. 103, respectfully report as follows: That Senate Bill No. 103 be concurred in.

MELIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Horticulture, having had under consideration Senate Bill No. 90, respectfully report as follows: That Senate Bill No. 90 be concurred in.

MELIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Horticulture, having had under consideration Senate Bill No. 105, respectfully report as follows: That Senate Bill No. 105 be concurred in.

MELIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 262, respectfully report as follows: That House Bill No. 262 do not pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 205, respectfully report as follows: That House Bill No. 205 be amended as follows:

Amend the title by striking out all of said title after the figures "1935" in line 2, and adding in lieu thereof the following:

"Relating to the restrictions of the manner of taking and possessing Fish and Game, prescribing the number and pounds of fish to be taken and possessed, granting to the commission certain authority in connection with the operation of this act, and to make and promulgate rules and regulations in the carrying out of the provisions of this Act and repealing all Acts and parts of Acts in conflict herewith." And as amended do pass.

MALEE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Water Conservation and Flood Control, having had under consideration Senate Joint Memorial No. 12, respectfully report as follows: That Senate Joint Memorial No. 12 be concurred in.

PARKER (Wibaux),
Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 319, respectfully report as follows: That House Bill No. 319 do not pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 322, respectfully report as follows: That House Bill No. 322 be amended as follows:

Strike out, on line 17: "The sum of \$17,500.00".

And insert in lieu thereof: "the sum of \$15,000.00".

Strike out line 24, "Descriptive Printed Material—\$10,000.00"; and insert in lieu thereof: "Descriptive Printed Material—\$7,500.00".

And as amended do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 279, respectfully report as follows: That House Bill No. 279 do not pass.

RICE, Chairman.

It was moved by Rice, duly seconded, that the report be adopted.

On substitute motion, it was moved by Collins, duly seconded, that House Bill No. 279 be printed and placed on General Orders. Whereupon, report of the committee was adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 50, respectfully report as follows: That House Bill No. 50 do not pass.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 334, respectfully report as follows: That House Bill No. 334 do not pass.

McCLAIN, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker: This is to advise that the Governor has this day approved House Bill No. 67 by Goodwin and the same has been filed in the office of the Secretary of State and a copy thereof filed with the Clerk of the Supreme Court.

Respectfully yours,

JOHN J. JEWELL,
Secretary to the Governor.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 96, 107 and 145, having on this day been read three several times, title and history agreed to and concurred in, are herewith returned to the House.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate on this day failed to concur in House Bills Nos. 93, 88, 60 and 198, and 207 and the same are hereby returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 114, having been read three several times, and concurred in as amended, is herewith returned to the House for concurrence in Senate amendments.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bills Nos. 155, 117, 158, 142, 152, 162, 150, 161, 165 and 115 have on this day been read three several times, title and history agreed to and passed, are herewith transmitted to the House for concurrence.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Dunn, duly seconded and carried, that Senate Bill No. 55 be taken from General Orders and referred to the Committee on Judiciary.

It was moved by Malee, duly seconded, that the House reconsider its action on House Bill No. 319. After considerable discussion, the previous question, duly seconded and carried, was moved by McLeod. Whereupon motion by Malee was put and carried.

It was moved by Malee, duly seconded and carried, that House Bill No. 319 be printed and placed on General Orders.

It was moved by McLeod, duly seconded and carried, that House Bill No. 233 be taken from the Committee on Labor and placed on General Orders.

It was moved by Lehrkind, duly seconded, that Substitute House Bill No. 172 be taken from the Committee on Engrossing and placed on General Orders. A roll call, to be entered on the Journal, was requested by the required number and motion by Lehrkind lost by the following vote:

Ayes: Armstrong, Berthot, Cole (Petroleum), Cole (Prairie), Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Hammond, Hoiness, Kellogg, Lambert, Lehrkind, Lippard, Lynch, McFatridge, Metlen, Morrison, Moss (Flathead), O'Connor, Padbury, Parker (Flathead), Petersen, Potter, Reed, Rice, Sorte, Stafford, Stevens, Stewart, Stromnes, Wenger, Williams, Woods and Mr. Speaker. Total 40.

Noes: Acton, Anderson (Cascade), Antrim, Balgord, Beadle, Beck, Bjorneby, Bower, Brown, Cannon, Collins, Daniel, DeDobbeleer, D'Ewart, Goodwin, Green, Hageman, Hess, Horrigan, James, Laubach, Leuthold, Liggett, Listug, Long, Loughran, Lowe, Malee, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Moss (Custer), Newell, Parker (Wibaux), Roehl, Ryan, Scofield, Siegling, Smith, Spiegel, Tyler and Zuck. Total 46.

Absent and not voting: Acher, Anderson (Phillips), Aronson, Baker, Brower, Byrne, Clarke, Kirscher, Longenecker, Miles, Murray, Sullivan, Vanderbeck, Watson and Wilson. Total 15.

Passed their vote: Flynn. Total 1.

It was moved by Friedl, duly seconded and carried, that Senate Bills Nos. 62 and 63 be taken from the Committee on Townships and Counties and referred to the Committee on State Boards and Offices.

REPORTS OF STANDING COMMITTEES

The following divided reports, designated as "A" and "B" were presented by the Committee on Agriculture.

Mr. Speaker: We, your "A" Committee on Agriculture, having had under consideration House Bill No. 227, respectfully report as follows: That House Bill No. 227 be amended as follows:

Amend Section 1, by inserting a comma after the word "that" in line 32 of the original bill and inserting in lieu thereof the words thereafter the following: "in Counties not using the services of a County Farm Agent."

Amend Section 1, by striking out in line 35 of the original bill the colon after the word "towns" and inserting in lieu thereof a comma and thereafter inserting the following "including, however, residents of incorporated cities or towns who are landowners deriving a major portion of their income from their farming operations." And as amended do pass.

DeDOBBELEER,
JAMES,
HESS,
BECK,
McKENNA,
TYLER,
MARTIN.

Mr. Speaker: We, your "B" Committee on Agriculture, having had under consideration House Bill No. 227, respectfully report as follows: That House Bill No. 227 do not pass.

LAUBACH,
COLLINS,
PARKER
MELIN,
REED,
LYNCH,
WOODS.

It was moved by Zuck, duly seconded, that the "A" report be adopted.

On substitute motion, it was moved by Reed, duly seconded, that the "B" report be adopted. After considerable discussion, the previous question was moved, seconded and carried. A roll call, to be entered in the Journal, was requested by the required number, on the adoption of the "B" report and the report was adopted by the following vote:

Ayes: Acton, Armstrong, Aronson, Balgord, Berthot, Cole (Petroleum), Cole (Prairie), Collins, D'Ewart, Duncan, Dunn, Emswiler, Friedl,

Gebhardt, Hageman, Hammond, Hoiness, Kellogg, Laubach, Lehrkind, Liggett, Lippard, Lowe, Lynch, McFatridge, Melin, Morrison, Moss (Flathead), Moss (Custer), Newell, O'Connor, Padbury, Parker (Flathead), Potter, Reed, Rice, Roehl, Scofield, Stewart, Wenger, Williams, Woods and Flynn. Total 43.

Noes: Anderson (Cascade), Beadle, Beck, Bjorneby, Bower, Brown, Cannon, Daniel, DeDobbeleer, Dougherty, Ekern, Freshman, Goodwin, Green, Hess, James, Lambert, Leuthold, Listug, Long, Loughran, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Metlen, Parker (Wibaux), Petersen, Ryan, Siegling, Sorte, Spiegel, Stafford, Stevens, Stromnes, Sullivan, Tyler, Zuck and Mr. Speaker. Total 41.

Absent and not voting: Acher, Anderson (Phillips), Antrim, Baker, Brower, Byrne, Clarke, Findlater, Horrigan, Kirscher, Longenecker, Malee, Miles, Murray, Smith, Vanderbeck, Watson and Wilson. Total 18.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 58, respectfully report as follows: That House Bill No. 58 do not pass, but that Substitute House Bill No. 58: A Bill for an Act entitled: "An Act providing for the acquisition, purchase, construction, reconstruction, improvement, betterment, extension, operation and maintenance of public service by any city or town, however, organized: authorizing and regulating the issuance of revenue bonds for financing such undertakings; and providing for the payment of such bonds and the rights and recourse of holders thereof." Do pass.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 358, respectfully report as follows: That House Bill No. 358 do pass.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 162, respectfully report as follows: That House Bill No. 162 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration Substitute House Bill No. 103, respectfully report as follows: That Substitute House Bill No. 103 be amended as follows:

Section 2, line 15, following the word "one" insert the word "round-trip."

Section 1, line 28, strike out the words "except sheriffs."

Section 1, line 31, strike out five cents (5c) and insert "six cents (6c)".

Section 1, line 32, strike out the words "Sheriffs shall receive mileage" and line 1 and 2 the words "as now provided by law, except as provided in the following section."

Section 2, line 10, strike out the words "five cents (5c)" and insert the words "six cents (6c)".

Section 2, lines 15 and 16, strike out the words "five cents (5c)" and insert the words "six cents (6c)."

Section 2, lines 7 and 8, strike out the words "except sheriffs."

Section 1, lines 25 and 26, following the word "exceed," strike out the words "seven cents (7c)" and insert the words "six cents (6c)".

And as amended do pass.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 350, 336, 344, 347, 307, 326, 90 and Substitute House Bills Nos. 374 and 393, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

Mr. Speaker: This is to advise you that the Governor has this day approved House Bill No. 79 by Committee on Affairs of Cities, House Bill No. 118 by Committee on Affairs of Cities, House Bill No. 84 by Committee on Affairs of Cities, House Bill No. 92 by Stafford, House Bill No. 33 by Committee on Revenue and Taxation, and House Joint Resolution No. 3 by McLeod and the same have been filed with the Secretary of State and a copy thereof filed with the Clerk of the Supreme Court.

Respectfully,

JOHN J. JEWELL,

Secretary to the Governor.

MOTIONS AND RESOLUTIONS

It was moved by Hoiness, duly seconded and carried, that the Chief Clerk be instructed to correct House Bill No. 258, now in the Engrossing Committee, by inserting in lines 37 and 42, page 2 of the printed bill, after the words "contempt proceeding," the words "or proceeding"; which were inadvertently left out.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole, for consideration of General Orders under the rules of the previous sitting.

McLeod in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 233 be amended as follows: Amend Section 2, line 1 by striking, the word "employee" after the word "agent" and as amended do pass.

That House Bill No. 72 be amended as follows: Amend Section 1 by changing the comma to a semi-colon in line 8 and by adding thereafter the following: "said County Clerk and Recorder must issue said certificate to any qualified elector making application for same;" and by striking the word "be" in line 9 and substituting the words "said circulator" and as amended do pass.

McLEOD, Chairman.

It was moved by McLeod, duly seconded, that the report of the Committee of the Whole be adopted. On substitute motion, it was moved by Spiegel, duly seconded, that House Bill No. 72 be segregated from the report. A roll call, to be entered in the Journal, was requested by the required number and motion by Spiegel, lost by the following vote:

Ayes: Anderson (Cascade), Antrim, Balgord, Beadle, Beck, Bjorneby, Brown, Cannon, Daniel, DeDobbeleer, Ekern, Flynn, Gebhardt, Hess, James, Lambert, Liggett, Long, Longenecker, Loughran, Malee, Martin,

McCarthy, McClain, McGee, McKenna, McLeod, Melin, Moss (Custer), Murray, Parker, (Wibaux), Petersen, Reed, Rice, Ryan, Sorte, Spiegel, Stevens, Sullivan. Total 39.

Noes: Acton, Anderson (Phillips), Armstrong, Aronson, Berthot, Brower, Byrne, Cole (Petroleum), Cole (Prairie), Collins, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Freshman, Friedl, Goodwin, Hageman, Hammond, Hoiness, Horrigan, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Lippard, Listug, Lowe, Lynch, McFatridge, Miles, Morrison, Moss (Flathead), Newell, O'Connor, Padbury, Parker (Flathead), Potter, Roehl, Scofield, Siegling, Smith, Stafford, Stewart, Stromnes, Wenger, Williams, Wilson, Woods and Mr. Speaker. Total 53.

Absent and not voting: Acher, Baker, Clark, Green, Metlen, Tyler, Vanderbeck, Watson and Zuck. Total 9.

Passed their vote: Bower. Total 1.

Whereupon report of the Committee of the Whole was adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills No. 43, 104, 115, 127, 230 and 267.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bills Nos. 42 and Substitute House Bill No. 128, beg leave to recommend that the same be considered correctly engrossed.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bill correctly enrolled: House Bill No. 96.

COLE, Chairman.

Report adopted.

I have examined House Bill No. 96 introduced by me and find the same to be correct.

SMITH.

The Speaker signed House Bill No. 96 in open session.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 400, respectfully report as follows: That House Bill No. 400 be printed and placed on General Orders.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 402, respectfully report as follows: That House Bill No. 402 be printed and placed on General Orders.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 403, respectfully report as follows: That House Bill No. 403 be printed and placed on General Orders.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 373, respectfully report as follows: That House Bill No. 373 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 385, respectfully report as follows: That House Bill No. 385 be recommended out to be referred to the Appropriations Committee.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 382, respectfully report as follows: That House Bill No. 382 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 24, respectfully report as follows: That House Bill No. 24 do not pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 413, respectfully report as follows: That House Bill No. 413 do not pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, to whom was referred House Bill No. 284, beg leave to report that we have considered said Bill, and recommend that said Bill be amended by striking out the following portion thereof, namely:

(1) The following portion of the title of said Bill, to-wit: Commencing with the second "and" on page 1, line 11, and ending with the word "organizations," on page 1, line 15, said portion to read as follows: "and the American Legion of Montana, Veterans of Foreign Wars, Disabled War Veterans, Spanish American War Veterans, and other similar Veterans' organizations."

(2) All of the Preamble, commencing with the word "Whereas", line 19, page 1, and ending with the word "rooms," line 1, page 3.

(3) Strike out the words "Now Therefore," on line 2, page 3.

(4) On page 3, line 14, commencing with the word "Disabled" and ending with the word "organization," line 17, page 3, strike out the following words, namely: "Disabled American Veterans; the American Legion of Montana, together with the Veterans of Foreign Wars; United Spanish War Veterans; the Grand Army of the Republic, and other like Veterans' organizations."

(5) On page 4, line 15, commencing with the word "and" and ending with the word "bouts," on page 4, line 18, strike out the following words, namely: "and also all of the said "Veterans' Memorial Fund" (Sections 4559 to 4562.3, both inclusive, of the Revised Codes of Montana of 1935), together with five per centum (5%) of the moneys collected from wrestling bouts."

(6) On page 5, line 16, commencing with the word "the" and ending with the word "Republic," on line 18, page 5, strike out the following

words, namely: "the American Legion of Montana; Veterans of Foreign Wars, Disabled American Veterans, United Spanish War Veterans, Grand Army of the Republic;"

(7) On page 5, line 20, commencing with the second "and", and ending with the word "offices," on line 22, page 5, strike out the following words, namely: "and such other Veterans' or patriotic organizations as will furnish a full time employee in charge of their respective offices."

And, we do further recommend, that with said portions stricken, that said House Bill No. 284, as so amended do pass.

Respectfully submitted.

STROMNES, Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that the House recess until 8:00 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 291, respectfully report as follows: That House Bill No. 291 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We your Committee on Appropriations, having had under consideration House Bill No. 419, respectfully report as follows: That House Bill No. 419 be amended:

Section One: Strike out in lines fifteen and sixteen, page one, the following: "eight hundred ten thousand six hundred and fifty dollars (\$810,650.00)"; and in lieu thereof: insert, eight hundred forty-seven thousand five hundred dollars (\$847,500.00)".

Section Two: Strike out in lines twenty-four and twenty-five, page one the following: "eight hundred ten thousand six hundred fifty dollars (\$810,650.00)" and in lieu thereof, insert: "eight hundred forty-seven thousand five hundred dollars (\$847,500.00)". Strike out in lines twenty-seven and twenty-eight, page one, the following: "three hundred five thousand four hundred dollars (\$305,400.00)"; and in lieu thereof, insert: "three hundred thirty thousand dollars (\$330,000.00)".

Strike out in lines twenty-nine and thirty, page one, the following: "eighty-four thousand two hundred fifty dollars (\$84,250.00)"; and in lieu thereof insert: "ninety six thousand five hundred dollars (\$96,500.00)".

Section Three: Strike out in line twelve, page two, the following: "eight hundred ten thousand six hundred fifty dollars (\$810,650.00)"; and in lieu thereof, insert: "eight hundred forty-seven thousand five hundred dollars (\$847,500.00)"; and as amended do pass.

DOUGHERTY, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following were introduced, by unanimous consent of the House, read first and second time at length, and referred to committees:

House Bill No. 422, introduced by Appropriation Committee: A Bill for an Act entitled: "An Act to appropriate money for the payment of ex-

penses incurred by the Occupational Disease Commission appointed by the Governor of the State of Montana as authorized by Senate Joint Resolution No. 6, of the Twenty-fifth Legislative Assembly of the State of Montana of 1937." Referred to Committee on Appropriations.

House Bill No. 423, introduced by Appropriation Committee: A Bill for an Act entitled: "An Act to appropriate money for certain elective offices and State institutions for the fiscal year ending June 30, 1939, it having been determined that the appropriations made by the Twenty-fifth Legislative Assembly are insufficient." Referred to Committee on Appropriations.

House Bill No. 424, introduced by Committee on Appropriations: A Bill for an Act entitled: "An Act to appropriate money for the operation and maintenance of certain departments for the fiscal year ending June 30, 1939, it having been determined that the appropriations made by the Twenty-fifth Legislative Assembly are insufficient." Referred to Committee on Appropriations.

THIRD READING

The following, having been read three several times at length, history and title agreed to, were disposed of as follows. All appropriation measures having been read at length:

House Bill No. 314 passed by the following vote:

Ayes: Acton, Anderson (Cascade), Antrim, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hess, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, McCarthy, McGee, McKenna, Miles, Morrison, Moss (Flathead), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Vanderbeck, Wenger, Williams, Wilson, Zuck and Mr. Speaker. Total 78.

Absent and not voting: Acher, Anderson (Phillips), Armstrong, Brower, Brown, Byrne, Cannon, Clark, D'Ewart, Dougherty, Goodwin, Hoiness, Martin, McClain, McFatridge, McLeod, Melin, Metlen, Moss (Custer), Murray, Siegling, Tyler, Watson and Woods. Total 24.

House Bill No. 259 was passed by the following vote:

Ayes: Acton, Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Dunn, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Green, Hageman, Hammond, James, Kellogg, Kirscher, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Malee, McCarthy, McClain, McFatridge, McKenna, Miles, Morrison, Moss (Flathead), Newell, Parker (Wibaux), Potter, Reed, Rice, Roehl, Ryan, Sorte, Spiegel, Stevens, Stewart, Sullivan, Vanderbeck, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 65.

Noes: Anderson (Cascade), Duncan, Friedl, Hess, Lambert, Murray, Smith, Stafford, Stromnes. Total 9.

Absent and not voting: Acher, Anderson (Phillips), Brower, Brown, Byrne, Cannon, Clarke, D'Ewart, Ekern, Goodwin, Hoiness, Horrigan, Laubach, Lynch, Martin, McGee, McLeod, Melin, Metlen, Moss (Custer), O'Connor, Padbury, Parker (Flathead), Petersen, Scofield, Siegling, Tyler, and Watson. Total 28.

House Bill No. 338 was passed by the following vote:

Ayes: Acton, Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, McCarthy, McClain, McGee, McKenna, Metlen, Miles, Morrison, Moss (Flathead), Murray, Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Vanderbeck, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 79.

Absent and not voting: Acher, Anderson (Phillips), Brower, Brown, Byrne, Cannon, Clark, D'Ewart, Dougherty, Goodwin, Lehrkind, Martin, McFatridge, McLeod, Melin, Moss (Custer), O'Connor, Parker (Flathead), Siegling, Smith, Tyler, Watson and Wenger. Total 23.

House Joint Memorial No. 8 was passed by the following vote:

Ayes: Acton, Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Green, Hammond, Hess, Hoiness, Horrigan, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, McClain, McFatridge, McGee, McKenna, Miles, Morrison, Moss (Flathead), Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Vanderback, Wenger, Woods, Zuck and Mr. Speaker. Total 74.

Absent and not voting: Acher, Anderson (Phillips), Baker, Brower, Brown, Byrne, Cannon, Clark, D'Ewart, Dougherty, Goodwin, Hageman, James, Martin, McCarthy, McLeod, Melin, Metlen, Moss (Custer), Murray, Parker (Flathead), Siegling, Smith, Sullivan, Tyler, Watson, Williams and Wilson. Total 28.

House Joint Memorial No. 12 was passed by the following vote:

Ayes: Acton, Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Cole (Petroleum), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Flynn, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Loughran, Lowe, Lynch, McClain, McFatridge, McGee, McKenna, Metlen, Morrison, Murray, O'Connor, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Smith, Sorte, Spiegel, Stevens, Stewart, Stromnes, Sullivan, Vanderbeck, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 73.

Noes: Emswiler, Findlater, Leuthold, Longenecker, Miles, Newell, Ryan, Scofield. Total 8.

Absent and not voting: Acher, Anderson (Phillips), Brower, Byrne, Cannon, Clark, Cole (Prairie), D'Ewart, Goodwin, Malee, Martin, McCarthy, McLeod, Melin, Moss (Flathead), Moss (Custer), Padbury, Siegling, Tyler and Watson. Total 20.

Passed their vote: Stafford. Total 1.

House Joint Memorial No. 17 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Baker, Balgord, Beadle, Bjorneby, Bower, Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Flynn, Friedl, Gebhardt,

Green, Hageman, Hammond, Hess, Hoiness, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Longenecker, Loughran, Lowe, Lynch, McClain, McFatridge, McGee, McKenna, Metlen, Miles, Morrison, Murray, Newell, O'Connor, Padbury, Parker (Flathead), Potter, Reed, Rice, Roehl, Ryan, Scofield, Smith, Sorte, Spiegel, Stevens, Stromnes, Sullivan, Vanderbeck, Wenger, Williams, Wilson, Woods and Mr. Speaker. Total 67.

Noes: Cole (Petroleum), Emswiler and Findlater. Total 3.

Absent and not voting: Acher, Aronson, Beck, Berthot, Brower, Brown, Byrne, Cannon, Clark, Cole (Prairie), D'Ewart, Freshman, Goodwin, Horrigan, James, Lippard, Long, Malee, Martin, McCarthy, McLeod, Melin, Moss (Flathead), Moss (Custer), Parker (Wibaux), Petersen, Siegling, Tyler, Watson, Zuck. Total 30.

Passed their vote: Stafford and Stewart. Total 2.

House Joint Memorial No. 16 was passed by the following vote:

Ayes: Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Bjorneby, Bower, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, McClain, McFatridge, McGee, McKenna, Miles, Moss (Flathead), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Potter, Reed, Roehl, Ryan, Scofield, Sorte, Spiegel, Stevens, Stewart, Stromnes, Sullivan, Vanderback, Wenger, Williams, Wilson, Zuck and Mr. Speaker. Total 74.

Noes: Green and Miles. Total 2.

Absent and not voting: Acher, Acton, Anderson (Phillips), Anderson (Cascade), Berthot, Brower, Brown, Byrne, Cannon, Clark, Goodwin, Martin, McCarthy, McLeod, Melin, Metlen, Moss (Custer), Parker (Flathead), Petersen, Rice, Siegling, Smith, Stafford, Tyler, Watson, Woods. Total 26.

House Bill No. 214 was passed by the following vote:

Ayes: Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Duncan, Dunn, Ekern, Emswiler, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Longenecker, Lowe, Lynch, Malee, McClain, McFatridge, McGee, McKenna, McLeod, Miles, Morrison, Moss (Flathead), Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Scofield, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Vanderback, Wenger, Williams, Wilson, Woods, Zuck, and Mr. Speaker. Total 73.

Noes: Dougherty, Findlater, Flynn, Kirscher, Long, Loughran, and Ryan. Total 7.

Absent and not voting: Acher, Acton, Anderson (Phillips), Brower, Brown, Byrne, Cannon, Clark, D'Ewart, Goodwin, Lippard, Martin, McCarthy, Melin, Metlen, Moss (Custer), Murray, Parker, (Flathead), Siegling, Smith, Tyler and Watson. Total 22.

House Bill No. 255 was passed by the following vote:

Ayes: Acton, Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Green,

Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Laubach, Lehrkind, Liggett, Listug, Long, Longenecker, Lowe, Lynch, Malee, McClain, McFatridge, McGee, McKenna, Morrison, Moss (Flathead), Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Roehl, Scofield, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Wenger, Williams, Wilson, Woods, Zuck, Parker (Flathead), and Mr. Speaker. Total 73.

Noes: Leuthold, Rice, Ryan and Vanderbeck. Total 4.

Absent and not voting: Acher, Anderson (Phillips), Brown Byrne, Cannon, Clark, D'Ewart, Friedl, Goodwin, Lambert, Lippard, Loughran, Martin, McCarthy, McLeod, Melin, Metlen, Miles, Moss (Custer), Murray, O'Connor, Siegling, Stromnes, Tyler, Watson. Total 25.

CONSIDERATION OF GENERAL ORDERS

It was moved by Spiegel, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

McLeod in the chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bills Nos. 414 and 415 do pass.

That House Bill No. 221 be amended as follows: Amend Section 3, line 52 by striking the word "fifteen" and inserting in lieu thereof the words "twenty-five," and as amended do pass.

That House Bill No. 417 do pass.

That the enacting clause be stricken from House Bill No. 172.

That consideration of House Bill No. 317 be passed for the day.

That House Bill No. 271 and 282 do pass.

McLEOD, Chairman.

It was moved by McLeod, duly seconded, that the report of the Committee be adopted.

On substitute motion, it was moved by Spiegel, duly seconded, that House Bill No. 172 be segregated from the report of the Committee of the Whole. A call of the House was requested by the required number. On motion, duly seconded and carried, the call of the House was dispensed with. A Roll Call, to be entered in the Journal, was requested by the required number and the motion to segregate was lost by the following vote:

Ayes: Anderson (Cascade), Balgord, Beadle, Beck, Bjorneby, Bower, Brown, Daniel, DeDobbeleer, Ekern, Flynn, Friedl, Hess, Long, Malee, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Moss (Custer), Murray, Petersen, Ryan, Sorte, Spiegel, Sullivan and Tyler. Total 29.

Noes: Acton, Anderson (Phillips), Armstrong, Aronson, Baker, Berthot, Brower, Byrne, Cole (Petroleum), Cole (Prairie), Collins, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Freshman, Gebhardt, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, McFatridge, Metlen, Miles, Morrison, Moss (Flathead), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Stafford, Stevens, Stewart, Stromnes, Vanderbeck, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 64.

Absent and not voting: Acher, Antrim, Cannon, Clark, Goodwin and Melin. Total 6.

Passed their vote: Lambert. Total 1.

Paired: Liggett and Watson. Total 2.

Whereupon, report of the Committee of the Whole was adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, having had under consideration House Bill No. 375, respectfully report as follows: That House Bill No. 375 do not pass, but that Substitute House Bill No. 375: A Bill for an Act entitled: "An Act providing the manner in which employees of the House of Representatives shall be selected."

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 18, respectfully report as follows: That House Joint Memorial No. 18 do pass.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 105, respectfully report as follows: That House Bill No. 105 be amended as follows:

By striking the word "of" and the semi-colon in line 15.

By striking the words "1. Fifty per cent. (50%) thereof" in line 16.

By striking all of line 26.

By striking all of lines 29 and 30, and inserting in lieu thereof:

"1. If said county or any portion thereof is embraced within a grazing district created under the provisions of the Taylor Grazing Act,

a. Fifty per cent. (50%) thereof to the special grazing fund and to be expended in the same manner as hereinbefore provided for moneys earned under Section Three (3) of the said Taylor Grazing Act, and

b. Fifty per cent. (50%) thereof to the common school fund of said county.

"2. If said County, in whole or in part is not embraced within such a grazing district.

a. Fifty per cent. (50%) thereof to the General Fund of said County, and

b. Fifty per cent. (50%) thereof to the common school fund of said county."

And as amended do pass.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration Senate Bill No. 98, respectfully report as follows: That Senate Bill No. 98 be amended:

By inserting after the word "sorghums," in line 10, page 2, of the engrossed bill the words "sugar beets," and also by striking out subsection 4 of Section 4 of the engrossed bill.

And when so amended recommend that Senate Bill No. 98 be concurred in.

DeDOBBELEER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration Senate Bill No. 99, respectfully report as follows: That Senate Bill No. 99 be concurred in.

DeDOBBELEER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 397, respectfully report as follows: That House Bill No. 397 do not pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 365, respectfully report as follows: That House Bill No. 365 be referred to the Committee on Appropriations.

McCARTHY, Chairman.

Report adopted.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

McLeod in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That consideration of Substitute House Bill No. 217 be passed for the day.

That Substitute House Bill No. 103 and House Bill No. 205 do pass.

That Senate Amendments to House Bill No. 114 be concurred in.

That House Bills Nos. 416 and 105 do pass.

That consideration of House Bill No. 201 be passed for the day.

McLEOD, Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Wednesday, February 15, 1939, at 9:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

FORTY-FIFTH DAY

House of Representatives,
Helena, Montana,
February 15, 1939.

House convened, pursuant to adjournment, at 9:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Acher, Clark, Goodwin, Watson.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Forty-fourth degislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 266, respectfully report as follows: That House Bill No. 266 do not pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 423, respectfully report as follows: That House Bill No. 423 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 422, respectfully report as follows: That House Bill No. 422 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 412, respectfully report as follows: That House Bill No. 412 do not pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 424, respectfully report as follows: That House Bill No. 424 do not pass.

DOUGHERTY, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Leuthold, duly seconded and carried, that House Bill No. 291 be taken from the Printing Committee and re-referred to Committee on Appropriations.

It was moved by Long, duly seconded and carried, that House Bill No. 319 be taken from the Printing Committee and referred to the Appropriations Committee.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 346 was passed by the following vote:

Ayes: Anderson (Phillips), Antrim, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Cannon, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Lehrkind, Leuthold, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Martin, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker, (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Ryan, Scofield, Siegling, Sorte, Spiegel, Stevens, Stewart, Sullivan, Tyler, Wenger, Woods, Zuck, Mr. Speaker. Total 74.

Absent and not voting: Acher, Acton, Anderson (Cascade), Armstrong, Baker, Brown, Byrne, Clark, Dougherty, Goodwin, Horrigan, Laubach,

Liggett, Lynch, Malee, McCarthy, Metlen, Moss (Flathead), Murray, O'Connor, Roehl, Smith, Stafford, Stromnes, Vanderbeck, Watson, Williams, Wilson. Total 28.

House Bill No. 359 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Aronson, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Duncan, Ekern, Emswiler, Findlater, Flynn, Friedl, Gebhardt, Green, Hageman, Hammond, Hess, Kellogg, Kirscher, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Moss (Custer), Newell, O'Connor, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stevens, Stewart, Sullivan, Tyler, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 72.

Noes: Freshman, Miles, Padbury. Total 3.

Absent and not voting: Acher, Anderson (Cascade), Armstrong, Baker, Balgord, Clark, Daniel, Dougherty, Dunn, Goodwin, Hoiness, Horrigan, James, Lambert, Laubach, Malee, Martin, McCarthy, Metlen, Morrison, Moss (Flathead), Murray, Roehl, Stafford, Stromnes, Vanderbeck, Watson. Total 27.

House Bill No. 128 was passed by the following vote:

Ayes: Acton, Anderson (Cascade), Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Cannon, Cole (Prairie), Collins, DeDobbeleer, Dougherty, Findlater, Flynn, Freshman, Friedl, Hess, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McClain, McFatrige, McLeod, Miles, Moss (Custer), Newell, O'Connor, Padbury, Parker (Flathead), Ryan, Scofield, Smith, Spiegel, Stevens, Sullivan, Wenger, Wilson, Zuck. Total 50.

Noes: Anderson (Phillips), Aronson, Brown, Cole (Petroleum), Daniel, Duncan, Dunn, Ekern, Emswiler, Gebhardt, Green, Hageman, Hammond, Lehrkind, Lippard, McGee, McKenna, Melin, Morrison, Parker (Wibaux), Petersen, Potter, Reed, Rice, Siegling, Sorte, Stewart, Tyler, Vanderbeck, Williams, Woods, Mr. Speaker. Total 32.

Absent and not voting: Acher, Antrim, Armstrong, Baker, Byrne, Clark, D'Ewart, Goodwin, Hoiness, Horrigan, James, Malee, McCarthy, Metlen, Moss (Flathead), Murray, Roehl, Stafford, Stromnes, Watson. Total 20.

House Bill No. 42 was passed by the following vote.

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Balgord, Berthot, Bower, Brower, Byrne, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Green, Hageman, Hammond, Hess, Kellogg, Kirscher, Lehrkind, Liggett, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, McClain, McFatrige, McKenna, McLeod, Miles, Morrison, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Scofield, Smith, Sorte, Stevens, Stewart, Vanderbeck, Wenger, Williams, Wilson, Woods, Mr. Speaker. Total 59.

Noes: Beadle, Beck, Brown, Cannon, Daniel, Ekern, Lambert, Long, Martin, McGee, Melin, Moss (Custer), Petersen, Ryan, Spiegel, Sullivan, Tyler, Zuck. Total 18.

Absent and not voting: Acher, Antrim, Armstrong, Aronson, Baker, Bjerneby, Clark, Friedl, Goodwin, Hoiness, Horrigan, James, Laubach,

Leuthold, Malee, McCarthy, Metlen, Moss (Flathead), Murray, O'Connor, Roehl, Siegling, Stafford, Stromnes, Watson. Total 25.

House Bill No. 43 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Aronson, Balgord, Beadle, Beck, Bjorneby, Bower, Brower, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Green, Hageman, Hammond, Hess, James, Kellogg, Kirscher, Laubach, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McFatrige, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Scofield, Siegling, Smith, Sorte, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Wenger, Williams, Wilson, Woods, Zuck. Total 69.

Noes: Anderson (Cascade), Brown, Cannon, Ekern, McClain, Ryan, Spiegel. Total 7.

Absent and not voting: Acher, Antrim, Armstrong, Baker, Berthot, Byrne, Clark, D'Ewart, Gebhardt, Goodwin, Hoiness, Horrigan, Lambert, Lehrkind, Lippard, Malee, McCarthy, Metlen, Moss (Flathead), Murray, O'Connor, Roehl, Stafford, Stromnes, Watson, Mr. Speaker. Total 26.

House Bill No. 104 was passed by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Clark, Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Ekern, Flynn, Gebhardt, Green, Hageman, Hess, James, Kellogg, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Long, Longenecker, Loughran, Lowe, Martin, McClain, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Ryan, Sorte, Spiegel, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Wenger, Williams, Woods, Zuck. Total 62.

Noes: Acton, Cole (Petroleum), Duncan, Dunn, Emswiler, Findlater, Freshman, Friedl, Hammond, Lynch, McFatrige, Newell, Padbury, Scofield, Siegling, Wilson. Total 16.

Absent and not voting: Acher, Antrim, Armstrong, Baker, Byrne, Cannon, Goodwin, Hoiness, Horrigan, Kirscher, Listug, Malee, McCarthy, Metlen, Moss (Flathead), Murray, O'Connor, Rice, Roehl, Smith, Stafford, Stromnes, Watson, Mr. Speaker. Total 24.

House Bill No. 115 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Cannon, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hess, James, Kellogg, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Long, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Scofield, Siegling, Smith, Sorte, Spiegel, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Wenger, Woods, Zuck. Total 71.

Noes: Brown, D'Ewart, Duncan, Longenecker, Miles, Newell, Ryan, Williams, Wilson. Total 9.

Absent and not voting: Acher, Antrim, Armstrong, Baker, Byrne, Clark, Goodwin, Hoiness, Horrigan, Kirscher, Listug, Malee, Metlen, Moss (Flathead), Murray, O'Connor, Padbury, Roehl, Stafford, Stromnes, Watson, Mr. Speaker. Total 22.

House Bill No. 127 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Aronson, Balgord, Berthot, Bjorneby, Brower, Cole (Petroleum), Cole (Prairie), Collins, Duncan, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hoiness, Kellogg, Laubach, Lehrkind, Leuthold, Liggett, Longenecker, Loughran, Lowe, McCarthy, McFatridge, Newell, O'Connor, Padbury, Parker, (Flathead), Petersen, Potter, Reed, Roehl, Smith, Stevens, Stewart, Watson, Wenger, Williams, Wilson, Woods. Total 46.

Noes: Anderson (Cascade), Beadle, Beck, Bower, Brown, Cannon, Daniel, DeDobbeleer, D'Ewart, Dougherty, Ekern, Flynn, Hess, James, Kirscher, Lambert, Lippard, Long, Lynch, Martin, McClain, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Parker (Wibaux), Rice, Ryan, Scofield, Sorte, Spiegel, Sullivan, Vanderbeck, Zuck. Total 38.

Absent and not voting: Acher, Antrim, Armstrong, Baker, Byrne, Clark, Dunn, Goodwin, Horrigan, Listug, Malee, Metlen, Moss (Flathead), Siegling, Stafford, Stromnes, Tyler, Mr. Speaker. Total 18.

House Bill No. 230 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Aronson, Balgord, Beck, Berthot, Bjorneby, Bower, Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Lippard, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlin, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Wenger, Williams, Wilson, Zuck. Total 73.

Noes: Beadle, Brower, Brown, Cannon, Cole (Petroleum), Daniel, McCarthy, Murray, Potter, Ryan. Total 10.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Armstrong, Baker, Byrne, Clark, Goodwin, Horrigan, Lehrkind, Listug, Malee, Moss (Flathead), O'Connor, Stromnes, Sullivan, Watson, Woods, Mr. Speaker. Total 19.

House Bill No. 267 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Baker, Beadle, Berthot, Bjorneby, Clark, D'Ewart, Emswiler, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Horrigan, Leuthold, Liggett, Long, Longenecker, Lowe, McClain, McFatridge, McLeod, Moss (Flathead), Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Rice, Roehl, Scofield, Siegling, Sorte, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Wenger, Williams, Wilson, Woods, Zuck, Loughran, Mr. Speaker. Total 47.

Noes: Aronson, Beck, Bower, Brower, Brown, Cannon, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Flynn, Hess, James, Kellogg, Kirscher, Lambert, Lehrkind, Martin, McCarthy, McGee, McKenna, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, Potter, Ryan, Smith, Spiegel, Collins, Laubach. Total 35.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Armstrong, Balgord, Byrne, Cole (Petroleum), Cole (Prairie), Findlater, Goodwin, Hoines, Lippard, Listug, Lynch, Malee, Metlen, O'Connor, Reed, Vanderbeck, Watson. Total 20.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 371, respectfully report as follows:

That House Bill No. 371 be amended by adding after the word "annum" in line 24, page 1, Section 1, the following:

"Fraternal organizations one hundred dollars (\$100.00) per annum. For each railway system in the State of Montana, three hundred dollars (\$300.00) per annum." And as amended do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 296, respectfully report as follows: That House Bill No. 296 do not pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, a minority of your Committee on Revenue and Taxation having had under consideration House Bill No. 408, respectfully report as follows: That House Bill No. 408 do pass.

PETERSEN,
CANNON.

Mr. Speaker: We, a majority of your Committee on Revenue and Taxation having had under consideration House Bill No. 408, respectfully report as follows: That House Bill No. 408 do not pass.

SCOFIELD,
SIEGLING,
LIPPARD,
VANDERBECK,
PADBURY,
LISTUG,
BALGORD,
BYRNE,
O'CONNOR.

It was moved by Byrne, duly seconded, that the report of the majority be adopted. On substitute motion, it was moved by Petersen, duly seconded, that the report of the minority be adopted. A roll call, to be entered in the Journal, was requested by the required number and motion to adopt the report of the minority was lost by the following vote:

Ayes: Anderson (Phillips), Baker, Balgord, Beadle, Beck, Bjorneby, Bower, Brown, Cannon, Collins, Daniel, DeDobbeleer, Dougherty, Flynn, Hess, James, Kirscher, Lambert, Laubach, Long, Malee, Martin, McCarthy, McClain, McGee, McKenna, Melin, Miles, Morrison, Moss (Custer) Murray, Newell, Petersen, Reed, Rice, Ryan, Spiegel, Stafford, Sullivan, Tyler, Zuck. Total 41.

Noes: Acton, Aronson, Berthot, Brower, Byrne, Cole (Petroleum), Cole (Prairie), Duncan, Dunn, Emswiler, Findlater, Freshman, Gebhardt, Green, Hageman, Hammond, Hoiness, Horrigan, Kellogg, Lehrkind, Leuthold, Liggett, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, McFatridge, Metlen, Moss (Flathead), O'Connor, Padbury, Potter, Roehl, Scofield, Sieglings, Smith, Sorte, Stevens, Stewart, Stromnes, Vanderbeck, Wenger, Williams, Wilson, Woods, Mr. Speaker. Total 48.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Armstrong, Clark, Ekern, Friedl, Goodwin, McLeod, Watson. Total 10.

Passed their vote: D'Ewart, Parker (Wibaux), Parker (Flathead). Total 3.

Whereupon the report of the majority was adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 342, respectfully report as follows: That House Bill No. 342 do not pass.

METLEN, Chairman.

It was moved by Metlen, duly seconded, that the report of the Committee be adopted. On substitute motion, it was moved by McGee, duly seconded and carried, that House Bill No. 342 be printed and placed on General Orders.

MOTIONS AND RESOLUTIONS

It was moved by Smith, duly seconded and carried, that the House reconsider its action taken in regard to House Bill No. 319.

It was moved by Moss of Flathead, duly seconded and carried by a two-thirds majority, that paragraph 2 of House Rule No. 37 be suspended, suspension to be effective at once.

The Speaker signed the following in open session, Senate Bills Nos. 91, 92 and 84.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, a minority of your Committee on Revenue and Taxation having had under consideration House Bill No. 383, respectfully report as follows: That House Bill No. 383 do not pass.

METLEN, Chairman.
O'CONNOR,
LIPPARD,
PADBURY,
SIEGLING,
VANDERBECK,
SCOFIELD,

Mr. Speaker: We, a majority of your Committee on Revenue and Taxation having had under consideration House Bill No. 383, respectfully report as follows: That House Bill No. 383 do pass.

PETERSEN,
CANNON.

It was moved by O'Connor, duly seconded, that the report of the majority be adopted. On substitute motion, it was moved by Cannon, duly seconded, that the report of the minority be adopted. Motion was lost whereupon, motion to adopt the majority report carried.

Mr. Speaker: We, your Committee on Fish and Game having had under consideration House Bill No. 236, respectfully report as follows: That House Bill No. 236 do not pass.

MALEE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game having had under consideration House Bill No. 309, respectfully report as follows: That House Bill No. 309 do not pass.

MALEE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs having had under consideration Senate Bill No. 51, respectfully report as follows: That Senate Bill No. 51 be amended as follows:

By striking out all of Section 9. And as amended be concurred in.

LYNCH, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs having had under consideration House Bill No. 389, respectfully report as follows: That House Bill No. 389 do not pass.

LYNCH, Chairman.

Report adopted.

Mr. Speaker: We, the majority of your Committee on Public Morals having had under consideration House Bill No. 224, respectfully report as follows: That House Bill No. 224 do not pass.

BOWER,
LONG,
SIEGLING,
O'CONNOR,
McCARTHY,
SULLIVAN,
WENGER,
PADBURY,
WILSON,
ACTON,
DANIEL.

Mr. Speaker: We, the minority of your Committee on Public Morals having had under consideration House Bill No. 224, respectfully report as follows: That House Bill No. 224 do pass.

PARKER (Flathead),
Vice-Chairman.

LAUBACH,
KELLOGG,

It was moved by O'Connor, duly seconded, that the report of the majority be adopted. On substitute motion, it was moved by Parker of Flathead, duly seconded, that the report of the minority be returned to the Committee on Public Morals, Charities and Reforms, with instructions to put certain amendments in the bill and that House Bill No. 224 be recommended out for passage. As a substitute motion for all motions pending, it was moved by Stromnes, duly seconded and carried, that House Bill No. 224 be re-referred to the Committee on Public Morals, Charities and Reforms.

MOTIONS AND RESOLUTIONS

It was moved by O'Connor, duly seconded and carried, that the House request the Honorable Senate return Senate Bill No. 88 for further consideration.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 226, 287, 288, 360, 351, 222, 264, 293, 110, 211, 332, Substitute House Bill No. 377, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bills Nos. 271, 415 and 416, beg leave to recommend that the same be engrossed correctly engrossed.

RICE, Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Speaker Pro tem in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 237, 381, 273, 263, 420, 31, 319, 357, 303, 421, Substitute House Bills Nos. 157, 337 and House Joint Resolution No. 5, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker: This is to advise that the Governor has this day approved House Bill No. 66, by Sullivan and Martin, House Bill No. 185, by Committee on Employment and that the same have been filed with the Secretary of State and copies thereof with the Clerk of the Supreme Court.

Respectfully yours,

JOHN J. JEWELL,
Secretary to the Governor.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate requests the return of H. B. No. 207 for further consideration.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate did on this day by motion accede to the request of the House for the return of Senate Bill No. 88, and the same is herewith returned.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Smith, duly seconded and carried, that the request of the Honorable Senate for the return of House Bill No. 207 be complied with.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Ways and Means having had under consideration House Bill No. 183, respectfully report as follows: That House Bill No. 183 be amended as follows: In line 22, after the word "Butte" add: "The Montana State Normal College at Dillon." And, as amended, do pass.

ZUCK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 378, respectfully report as follows: That House Bill No. 378 be amended:

By striking out, in title, line three, page one the following: "One Thousand Dollars." And in lieu thereof, insert: "Five hundred dollars."

By striking out, in section one, beginning on line seventeen, page one, and ending on line twenty, page one, the following: "but such compensation shall not exceed one hundred dollars (\$100) in any one year; and each member shall also receive his actual expenses incurred in the performance of his duties."

And in lieu thereof, insert: "but such compensation shall not exceed fifty dollars (\$50) in any one year."

Strike out, in section seven, line three, page three, the following: "one thousand dollars (\$1000)"; and in lieu thereof, insert: "five hundred dollars (\$500.)" And as amended do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration Senate Bill No. 32, respectfully report as follows: That Senate Bill No. 32 be concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 94, respectfully report as follows: That House Bill No. 94 do not pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 348, respectfully report as follows: That House Bill No. 348 do not pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 228, respectfully report as follows: That House Bill No. 228 do pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 202, respectfully report as follows: That House Bill No. 202 do not pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 331, respectfully report as follows: That House Bill No. 331 be amended as follows:

Strike out former amendments by the Appropriations Committee and amend the title by striking out in the second line after the word "Commission" the words "for the administration of said Commission including incidental expenses" and further amending the title by inserting after the word "and" in the third line, the word "Appropriating."

Amend Section 1 by striking out the letter "s" in the word "sums" in line 8 thereof.

By striking out the word "are" in line 9 of Section 1, and inserting in lieu thereof, the word "is".

Amend by striking out in Section 1, line 13, commencing with the word "salary" all of line 13, 14, 15, 16, 17, 18, 19, and 20 to and including the figures "\$5,000.00," and inserting in lieu thereof, the words and figures as follows: "fund to be used in aiding county, joint county, or regional libraries to buy books—\$5,000.00."

Amend by striking out all of Section 2 of said Act, and inserting in lieu thereof a new section as follows: "Section 2. All Acts and parts of Acts in conflict herewith are hereby repealed."

Amend by adding a new Section. "Section 3," which shall read as follows: "This Act shall be in full force and effect from and after its passage and approval."

And as amended do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 365, respectfully report as follows: That House Bill No. 365 do not pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 291, respectfully report as follows: That House Bill No. 291 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 385, respectfully report as follows: That House Bill No. 385 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 218, respectfully report as follows: That House Bill No. 218 do not pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Morals, Reforms and Charities having had under consideration House Bill No. 111, respectfully report as follows: That House Bill No. 111 be amended:

Amend Section 1, line 11 by striking out the word and figure "one (1)" and inserting in lieu thereof the word and figure "two (2)". Strike out the comma in line 12, after A. M.; strike out the remainder of line 12 and line 13. After the word "county" in line 14, strike out the comma and add the word "or"; strike out the words "or school district" in line 15; strike out the word and figure "one (1)" in line 17, and insert in lieu thereof the word and figure "two (2)" by adding a new sub-section to Section 1 to be numbered 3, to read as follows: "Sunday, from two (2) A. M. to one (1) P. M." By striking out the word "wind" in line 21, and inserting in lieu thereof the word "wine." By striking out all lines 26-27-28 in Section 3, and inserting in lieu thereof "any railroad, dining or buffet car operated in regular train service." By striking out all of Section 6.

As amended do pass.

LIPPARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security having had under consideration House Bill No. 372, respectfully report as follows: That House Bill No. 372 be amended as follows:

That Section 3 be amended by striking out Subsection (c) and re-lettering Subsection (d) as Subsection (c).

Amend Section 5 by striking out on page four (4) line seventeen (17) the words "not be paid until after he ceases to be such an inmate" and inserting in lieu thereof the words "be paid to his dependents or dependent, if any, until he ceases to be such an inmate."

Amend Section 8 by inserting on page five (5) line twenty-two (22) after the word "payment" the words "in addition to grants made by this act"; and further amend Section 8, page five (5) line twenty-three (23) by inserting after the word "month" the words "exclusive of any grants made by Congress".

As amended do pass.

BYRNE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs having had under consideration House Bill No. 362, respectfully report as follows: That House Bill No. 362 do not pass.

LYNCH, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor having had under consideration House Bill No. 173, respectfully report as follows: That House Bill No. 173 do not pass.

SPIEGEL, Chairman.

It was moved by Spiegel, duly seconded, that the report of the committee, be adopted. On substitute motion, it was moved by McLeod, duly seconded that House Bill No. 173 be printed and placed on General Orders. A roll call, to be entered in the Journal, was requested by the required number and motion was lost by the following vote:

Ayes: Anderson (Cascade), Beadle, Bjorneby, Brown, Daniel, Malee, McCarthy, McClain, McGee, McLeod, Metlen, Miles, Moss (Custer), Murray, Parker (Wibaux), Petersen, Stafford, Stevens, Sullivan, Wenger. Total 20.

Noes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Berthot, Bower, Brower, Byrne, Cannon, Cole (Petroleum), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Freshman, Gebhardt, Green, Hageman, Hoiness, Horrigan, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Lippard, Listug, Long, Longenecker, Loughran, Lynch, Martin, McFatridge, McKenna, Melin, Morrison, Moss (Flathead), Newell, Padbury, Parker (Flathead), Potter, Reed, Rice, Roehl, Smith, Stewart, Stromnes, Tyler, Vanderbeck, Williams, Wilson, Zuck. Total 58.

Absent and not voting: Acher, Baker, Beck, Clark, Cole (Prairie), Ekern, Goodwin, Hammond, Hess, James, Lambert, Lowe, O'Connor, Ryan, Scofield, Siegling, Sorte, Watson, Woods, Mr. Speaker. Total 20.

Passed their vote: Flynn, Friedl, Liggett, Spiegel. Total 4.

Whereupon motion to adopt Committee report was carried.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs having had under consideration House Bill No. 180, respectfully report as follows: That House Bill No. 180 be referred to the Judiciary Committee.

LYNCH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Development and Publicity having had under consideration House Joint Resolution No. 6, respectfully report as follows: That House Joint Resolution No. 6 do not pass.

MURRAY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 387, respectfully report as follows: That House Bill No. 387 be reported out without recommendation.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, a majority of your Committee on Judiciary having had under consideration House Bill No. 99, respectfully report as follows: That House Bill No. 99 do not pass.

STAFFORD,
LIPPARD,
O'CONNOR,
BROWER,
DUNN,
ANDERSON (Phillips),
HOINESS,
RICE.

Mr. Speaker: We, a minority of your Committee on Judiciary having had under consideration House Bill No. 99, respectfully report as follows: That House Bill No. 99 do pass.

SMITH,
SULLIVAN,
MALEE.

It was moved by Lippard, duly seconded, that the report of the majority be adopted. On substitute motion, it was moved by Sullivan, duly seconded, that the report of the minority be adopted. Motion was lost. Whereupon motion to adopt the majority report was adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 138, 145, 54, 107; Substitute House Bill No. 3.

COLE (Prairie),
Vice-Chairman.

Report adopted.

I have examined House Bill No. 54 introduced by me and find the same to be correct.

BYRNE.

I have examined House Bill No. 107 introduced by me and find the same to be correct.

BERTHOT.

I have examined House Bill No. 145 introduced by me and find the same to be correct.

STROMNES,

I have examined House Bill No. 138 introduced by me and find the same to be correct.

REED.

I have examined Substitute House Bill No. 3 introduced by me and find the same to be correct.

MORRISON.

The Speaker signed the following in open session. Substitute House Bill No. 3 and House Bills Nos. 145, 54, 107 and 138.

MOTIONS AND RESOLUTIONS

It was moved by Morrison, duly seconded and carried, that House Bill No. 387 that was reported out from the Committee on Judiciary without recommendation, be printed and placed on General Orders.

It was moved by Liggett, duly seconded, that the House reconsider its action on House Bill No. 227. Motion was lost.

It was moved by Padbury, duly seconded and carried, that the House reconsider its action on Senate Bill No. 51.

It was moved by Padbury, duly seconded and carried, that Senate Bill No. 51 be re-referred to the Committee on Public Morals, Charities and Reforms.

It was moved by O'Connor, duly seconded and carried, that the House reconsider its action on Senate Bill No. 88.

It was moved by O'Connor, duly seconded and carried, that Senate Bill No. 88 be referred to the Committee on Judiciary.

THIRD READING

House Bill No. 201, having been read three several times, history and title agreed to was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Dunn, Ekern, Freshman, Friedl, Gebhardt, Hammond, Hoiness, James, Laubach, Lehr-kind, Leuthold, Liggett, Listug, Loughran, Lynch, Martin, McGee, McKenna, McLeod, Melin, Morrison, Moss (Flathead), Moss (Custer), Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Roehl, Ryan, Siegling, Smith, Sorte, Stafford, Stevens, Stromnes, Sullivan, Vanderbeck, Wenger, Williams, Woods, Mr. Speaker. Total 59.

Noes: Antrim, Aronson, Baker, Daniel, Duncan, Emswiler, Findlater, Flynn, Green, Hageman, Hess, James, Kellogg, Lambert, Long, Longenecker, Lowe, Malee, McCarthy, McFatridge, Metlen, Miles, Murray, Newell, O'Connor, Potter, Rice, Scofield, Spiegel, Stewart, Tyler, Wilson. Total 32.

Absent and not voting: Acher, Cannon, Clark, Goodwin, Horrigan, Kirscher, McClain, Watson, Zuck. Total 9.

Passed their vote: Cole (Petroleum), Lippard. Total 2.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Lippard in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bills Nos. 317 and 188 do pass.

That Substitute House Bill No. 217 do pass.

That House Bills Nos. 31, 351, 303 and 273 do pass.

LIPPARD, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 356, 373, 403, 162, 144, 419, 322, 402, 358, 291; Substitute House Bills Nos. 158 and 86; House Joint Memorial 18, and House Joint Resolution No. 4, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms having had under consideration House Bill No. 225, respectfully report as follows: That House Bill No. 225 do not pass.

LIPPARD, Chairman.

Report adopted.

Mr. Speaker: We, the majority of your Committee on Public Morals, Charities and Reforms having had under consideration House Bill No. 224, respectfully report as follows: That House Bill No. 224 do not pass.

SIEGLING,
O'CONNOR,
WILSON,
McCARTHY,
SULLIVAN,
DANIEL,
LONG,
WENGER,
PADBURY.

Mr. Speaker: We, the minority of your Committee on Public Morals, Reforms and Charities having had under consideration House Bill No. 224, respectfully report as follows: That House Bill No. 224 be amended as follows:

By adding a new section to be numbered Section 10, as follows:

Section 10. It is provided, however, that nothing in this Act shall in any manner affect the right of the State of Montana to sell liquor in the county holding the election, whatever the result thereof, through one of the State's regularly established liquor stores. By adding a new section to be numbered Section 11 as follows:

Section 11. Provided further that, where by virtue of such an election it shall become unlawful for the State of Montana to issue retail liquor licenses in any county, no part of any such retail liquor license taxes collected in other parts of the State shall be distributed to the public schools of such county. By striking out the present Section 10, and re-numbering the present Section 11, to correspond with the preceding sections.

As amended do pass.

PARKER (Flathead),
LAUBACH,
ACTON,
KELLOGG.

It was moved by Siegling, duly seconded, that the report of the majority be adopted. On substitute motion, it was moved by Parker of Flathead, duly seconded, that the report of the minority be adopted. A roll call, to be entered in the Journal, was requested by the required number and motion to adopt minority report was carried by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Beck, Berthot, Bjorneby, Brower, Brown, Byrne, Cole

(Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Green, Hageman, Hammond, James, Kellogg, Kirscher, Laubach, Leuthold, Liggett, Listug, Longenecker, Lowe, McFatrige, McKenna, Moss (Flathead), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Stafford, Stevens, Tyler, Vanderbeck, Williams, Woods, Parker (Flathead). Total 47.

Noes: Anderson (Cascade), Beadle, Bower, Cannon, Daniel, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Hess, Hoiness, Horrigan, Lambert, Lehrkind, Lippard, Long, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McGee, Metlen, Miles, Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Siegling, Smith, Spiegel, Stromnes, Sullivan, Wenger, Wilson, Zuck. Mr. Speaker. Total 43.

Absent and not voting: Acher, Clark, Ekern, Goodwin, McLeod, Melin, Morrison, Moss (Custer), Rice, Sorte, Stewart, Watson. Total 12.

MESSAGES FROM THE GOVERNOR.

Mr. Speaker: This is to advise that the Governor has this day approved House Bills Nos. 38, 39 and 40 and the same have been filed with the Secretary of State and copies thereof with the Clerk of the Supreme Court.

Respectfully yours,

JOHN J. JEWELL,

Secretary to the Governor.

CONSIDERATION OF GENERAL ORDERS

It was moved by Hoiness, duly seconded and carried, that the House resolve itself into a Committee of the Whole, for consideration of General Orders, under the rules of the previous sitting.

Lippard in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 237 be amended as follows: Amend Section 1, line 4 of the printed bill by striking the word "shall" after the word "lease" and insert in lieu thereof the word "may", and as amended do pass;

House Bill No. 336, on motion to pass, was voted down.

That Substitute House Bill No. 170 do pass.

That House Bill No. 420 do pass.

That House Bills Nos. 344 and 347 do pass.

That the enacting clause be stricken from House Bill No. 307.

That House Bill No. 326 do pass.

That the enacting clause be stricken from Substitute House Bill No.

10.

It was moved by Lippard, duly seconded, that the report of the Committee of the Whole be adopted. On substitute motion, it was moved by Beck, duly seconded, that House Bill No. 307 be segregated from the report of the Committee of the Whole. A roll call, to be entered in the Journal, was requested by the required number and motion to segregate lost by the following vote:

Ayes: Anderson (Cascade), Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Cannon, Cole (Prairie), DeDobbeleer, Ekern, Flynn, Friedl, Hess, James, Lambert, Laubach, Lehrkind, Liggett, Lippard, Long, McClain, McGee, McKenna, McLeod, Morrison, Moss (Custer), Murray, Petersen, Ryan, Sorte, Spiegel, Stafford, Stevens, Sullivan, Vanderbeck, Zuck, Mr. Speaker. Total 38.

Noes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Brower, Byrne, Cole (Petroleum), Collins, Daniel, D'Ewart, Dough-

erty, Duncan, Dunn, Emswiler, Findlater, Freshman, Gebhardt, Green, Hageman, Hammond, Kellogg, Kirscher, Leuthold, Listug, Longenecker, Loughran, Lowe, Lynch, McCarthy, McFatrige, Metlen, Miles, Moss (Flathead), Newell, Parker (Wibaux), Parker (Flathead), Potter, Reed, Roehl, Scofield, Stewart, Tyler, Wenger, Williams, Wilson, Woods. Total 48.

Absent and not voting: Acher, Baker, Clark, Goodwin, Hoiness, Horri-gan, Malee, Martin, Melin, O'Connor, Padbury, Rice, Siegling, Smith, Stromnes, Watson. Total 16.

Whereupon the report of the Committee of the Whole was adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 72, 105, 205, 221, 233, 258, 282, 303, 320, 414, 417 and Substitute House Bill No. 103.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bills Nos. 188 and Substitute House Bill No. 217 beg leave to recommend that the same be considered correctly engrossed.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security having had under consideration House Bill No. 133, respectfully report as follows: That House Bill No. 133 be amended as follows:

Amend the title by adding after the words and Roman numerals "Section V Part II" the words and Roman numerals "Section VI Part II".

Amend Section 2, Subsection (b) on page three (3) line fifteen (15) by striking out after the word "shall" the words "as far as consistent with the principles of the merit system."

Amend Section 3, Subsection (h) by striking out the last two words in line twenty-five (25) and all of line (26) and inserting in lieu thereof the following "is living on an Indian reservation set aside for tribal use, or is a member of a tribe or nation accorded certain rights and privileges by treaty or by Federal Statutes".

Amend Section 5, by striking out Section 5 in its entirety.

Amend Section 8, Subsection (d) page five (5) line thirty (30) by striking out the word "department" and inserting in lieu thereof the words "Welfare Board" and by striking out after the word "as" in line thirty-one (31) page five (5) the words "determined by the" and inserting in lieu thereof the words "recommended after" and also by striking out in line thirty-one (31) after the word "investigation" the word "of" and inserting in lieu thereof the word "by".

Amend Section 12, Subsection (a) page eight (8) line eleven (11) by striking out the word "three" and inserting in lieu thereof the word "one".

Amend Section 14, page nine (9), line seven (7) by striking out after the word "welfare" the word "shall" and inserting in lieu thereof the word "may".

Insert a new Section 15 to read as follows: "Section 15. That Section VI of Part II of the Public Welfare Act, be and is hereby amended to read as follows: Medical aid and services and hospitalization for persons unable to provide such necessities for themselves are hereby declared to be the legal and financial duty and responsibility of the Board of County

Commissioners, payable from the County Poor Fund. It shall be the duty of the Board of County Commissioners to make provision for competent and skilled medical or surgical services as approved by the State Board of Health or the State Medical Association, or in the case of osteopathic practitioners by the State Osteopathic Association or chiropractors by the State Chiropractic Association. 'Medical' or 'medicine' as used in this Act refers to the healing art as practiced by licensed practitioners."

Amend Section 19, 20, and 21 by striking out said Sections in entirety.

Also amend bill by renumbering Sections in sequence. As amended do pass.

BYRNE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 400, 423, 284, Substitute House Bills Nos. 375 and 58, report that the same have been correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bills Nos. 326, 344, 347, 420 and Substitute House Bill No. 170, beg leave to recommend that the same be considered correctly engrossed.

KIRSCHER, Chairman.

Report adopted.

RULING BY THE CHAIR

On the ruling requested, regarding Senate Bill No. 88; the Chair rules that the motions with reference to the recalling and reconsideration of Senate Bill No. 88, are out of order, for the reason that reconsideration was not made in accordance with House Rule No. 28, for reconsideration; and that Senate Bill No. 88 should be returned to the Senate.

INTRODUCTION OF BILLS

House Bill No. 425 was introduced, by unanimous consent of the House, by Committee on Ways and Means, entitled: A Bill for an Act entitled: "An Act to provide for the support of the government of Montana for the years 1939 and 1940". Referred to Committee on Appropriations.

It was moved by McLeod, duly seconded and carried, that the House recess until 8:00 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 252, respectfully report as follows: That House Bill No. 252 do not pass, but that Substitute House Bill No. 252 entitled: "An Act to amend Sections 1263.3, 1263.5, 1263.6, 1263.11, 1263.12 and 1263.19 of the Revised Codes of Montana, 1935, all relating to high school budgets." Do pass.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration House Bill No. 112, respectfully report as follows: That House Bill No. 112 do not pass.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 63, respectfully report as follows: That House Bill No. 63 be reported out without recommendation.

DOUGHERTY, Chairman.

It was moved by Dougherty, duly seconded, that the report of the Committee be adopted. On substitute motion, it was moved by McClain, duly seconded, that House Bill No. 63 be printed and placed on General Orders. As a substitute motion for all motions pending, it was moved by McFatridge, duly seconded, that House Bill No. 63 be indefinitely postponed. Motion carried.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms having had under consideration House Bill No. 277, respectfully report as follows: That House Bill No. 277 do not pass.

LIPPARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security having had under consideration House Bill No. 98, respectfully report as follows: That House Bill No. 98 do not pass.

BYRNE, Chairman.

It was moved by Byrne, duly seconded, that the report of the Committee be adopted. On substitute motion, it was moved by Brown, duly seconded, that House Bill No. 98 be printed and placed on General Orders. After considerable discussion, the previous question was moved by Antrim, duly seconded and carried. A roll call, to be entered in the Journal was requested by the required number and motion by Brown lost by the following vote:

Ayes: Anderson (Cascade), Bjorneby, Bower, Brower, Brown, Cannon, Daniel, DeDobbeleer, Ekern, Flynn, Friedl, James, Lambert, Liggett, Long, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Moss (Custer), Murray, Petersen, Potter, Ryan, Spiegel, Stafford, Stevens, Wenger, Zuck. Total 31.

Noes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Berthot, Byrne, Cole (Petroleum), Collins, D'Ewart, Dougherty, Duncan, Emswiler, Findlater, Freshman, Gebhardt, Green, Hageman, Hammond, Hoiness, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, McFatridge, Miles, Moss (Flathead), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Reed, Rice, Scofield, Stewart, Tyler, Watson, Williams, Wilson, Woods, Mr. Speaker. Total 50.

Absent and not voting: Acher, Baker, Beadle, Beck, Clark, Cole (Prairie), Dunn, Goodwin, Hess, Horrigan, Malee, Melin, Metlen, Morrison, Roehl, Siegling, Smith, Sorte, Stromnes, Sullivan, Vanderbeck. Total 21.

Whereupon motion to adopt committee report was carried.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 80 and 250 having been read three several times, title and history agreed to and concurred in, are herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 204, 240, 123, 194 and 328, having failed in concurrence in the Senate, are herewith returned to the House.

Respectfully,

GEORGE A. BURR,

Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Stromnes, duly seconded, that the House reconsider its action on House Bill No. 413. Motion lost.

INTRODUCTION OF BILLS

The following were introduced by unanimous consent of the House, read first and second time, and referred to committees; all appropriation measures having been read at length:

House Bill No. 426: Introduced by Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate money for the use of the Water Conservation Board of the State of Montana for the Administration Fund and for the Conservation Revolving Fund of the Water Conservation Board for the period beginning March 1, 1939, and ending March 1, 1941." Referred to Committee on Appropriations.

House Joint Resolution No. 7: Introduced by Flynn: A Resolution requesting the Governor of the State of Montana to appoint a Commission to make a study of articles and places of historical and traditional value to the State of Montana; providing for accepting gifts of personal property; and to make recommendations to the Twenty-Seventh Legislative Assembly at its session in 1941 relating thereto. Referred to State Boards and Offices.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Lehrkind in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Joint Resolution No. 4; House Bills Nos. 421, 419, 423, 291, 356, Substitute House Bills Nos. 393 and 374, and House Bill No. 382 do pass.

That the enacting clause be stricken from House Bill No. 306.

That Substitute House Bill No. 381 do pass.

That the enacting clause be stricken from House Bill No. 263.

LEHRKIND, Chairman.

It was moved by Lehrkind, duly seconded, that the report of the Committee of the Whole be adopted. On substitute motion, it was moved by Hoiness, duly seconded, that House Bill No. 263 be segregated from the report of the Committee of the Whole. A roll call, to be entered in the Journal, was requested by the required number, and motion by Hoiness was lost by the following vote:

Ayes: Acton, Balgord, Beck, Bower, Byrne, D'Ewart, Emswiler, Findlater, Friedl, Gebhardt, Hageman, Hammond, Hoiness, James, Kellogg, Lambert, Laubach, Leuthold, Liggett, Lowe, McFatrige, Moss (Flathead), Newell, O'Connor, Padbury, Potter, Reed, Scofield, Stewart, Stromnes, Williams, Zuck, Mr. Speaker. Total 34.

Noes: Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Berthot, Bjorneby, Brower, Brown, Cannon, Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Flynn, Green, Horrigan, Kirscher, Lehrkind, Lippard, Long, Loughran, Lynch, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Metlen, Miles, Moss (Custer), Murray, Parker (Wibaux), Parker (Flathead), Petersen, Ryan, Siegling, Sorte, Spiegel, Stevens, Sullivan, Tyler, Watson, Wenger, Wilson, Woods. Total 49.

Absent and not voting: Acher, Baker, Beadle, Clarke, Cole (Petroleum), Dunn, Ekern, Freshman, Goodwin, Hess, Listug, Longenecker, Malee, Melin, Morrison, Roehl, Smith, Stafford, Vanderbeck. Total 19.

Whereupon the report of the Committee of the Whole was adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Boards and Offices having had under consideration House Joint Resolution No. 7, respectfully report as follows: That House Joint Resolution No. 7 do pass.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 327, respectfully report as follows: That House Bill No. 327 do not pass, but that Substitute House Bill No. 327: A Bill for an Act entitled: "An Act to regulate, license, authorize and control games of chance, gambling games and gambling devices; providing for the operation thereof under licenses duly issued by the Montana Liquor Control Board; providing for a license tax and fixing the amount thereof; granting to the Montana Liquor Control Board certain powers for the enforcement of this Act; prohibiting persons under the age of majority from playing at or loitering about such games or from entering or being permitted to enter any house, room or premises wherein any gambling games or gambling devices are operated or conducted; permitting cities, towns and counties to levy a license tax in addition to the State licenses herein provided for; defining certain words and terms used in this Act; prescribing the hours during which games may be played; providing for the suspension and revocation of licenses; authorizing the Montana Liquor Control Board to prescribe and promulgate rules and regulations with statutory effect and granting to said board the power to strictly regulate and control licenses and licensees; providing for hearings by the board and appeals from decisions thereof; providing for the allocation of license fees; providing penalties for the violation of this Act; declaring this Act to be an emergency measure and repealing all Acts and parts of Acts in conflict herewith." Do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 251, respectfully report as follows: That House Bill No. 251 do not pass, but that Substitute House Bill 251: A Bill for an Act entitled: "An Act providing for the licensing, regulation and control of games of chance or other gambling devices; providing for a house gambling license and for a game or table license, and granting to the Montana Liquor Control Board certain powers for the enforcement of this Act; making certain Acts illegal and providing penalties therefor; prohibiting persons under the age of majority from playing at such games; fixing the amount of license fees to be paid for said licenses; providing for the disposal of the proceeds of fees collected under the provisions of this Act; permitting cities, towns and counties to levy a license tax in addition to the state license; appropriating funds for the enforcement of the provision of this Act; and repealing all Acts and parts of Acts in conflict herewith." Do pass.

METLIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices having had under consideration Substitute House Bill No. 102, respectfully report as follows: That Substitute House Bill No. 102 do not pass.

FRIEDL, Chairman.

Report adopted.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 417 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Findlater, Flynn, Friedl, Gebhardt, Green, Hammond, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, Miles, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Ryan, Scofield, Sorte, Spiegel, Stevens, Stewart, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck, Siegling, Mr. Speaker. Total 72.

Absent and not voting: Acher, Anderson (Cascade), Baker, Beadle, Byrne, Clark, Dunn, Ekern, Emswiler, Freshman, Goodwin, Hageman, Hess, Lippard, Listug, Malee, McLeod, Melin, Metlen, Morrison, Moss (Flathead), Moss (Custer), Murray, O'Connor, Petersen, Roehl, Smith, Stafford, Stromnes, Vanderbeck. Total 30.

House Bill No. 414 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Findlater, Flynn, Friedl, Gebhardt, Hageman, Hammond, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, Miles, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Ryan, Scofield, Siegling, Sorte, Stevens, Stewart, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 69.

Noes: Long. Total 1.

Absent and not voting: Acher, Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Clark, D'Ewart, Dunn, Ekern, Emswiler, Freshman, Goodwin, Green, Hess, Hoiness, Lippard, Listug, Malee, McLeod, Melin, Metlen, Morrison, Moss (Flathead), O'Connor, Petersen, Roehl, Smith, Spiegel, Stromnes, Vanderbeck. Total 32.

House Bill No. 416 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Findlater, Flynn, Friedl, Green, Hageman, Hammond, Hoiness, James, Kellogg, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Longenecker, Loughran, Lowe, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, Miles, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Ryan, Scofield, Siegling, Sorte, Spiegel, Stevens, Stromnes, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Mr. Speaker. Total 69.

Noes: Horrigan, Kirscher, Long. Total 3.

Absent and not voting: Acher, Anderson (Cascade), Baker, Balgord, Beadle, Byrne, Clark, Dougherty, Dunn, Ekern, Emswiler, Freshman, Gebhardt, Goodwin, Hess, Listug, Lynch, Malee, McLeod, Melin, Metlen, Morri-

son, Moss (Flathead), O'Connor, Roehl, Smith, Stafford, Stewart, Vanderbeck, Zuck. Total 30.

House Bill No. 415 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Armstrong, Aronson, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Flynn, Friedl, Gebhardt, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, Miles, Morrison, Moss (Custer), Newell, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Ryan, Scofield, Siegling, Sorte, Spiegel, Stevens, Stewart, Stromnes, Sullivan, Watson, Wenger, Williams, Wilson, Mr. Speaker. Total 68.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Baker, Balgord, Beadle, Byrne, Clark, D'Ewart, Dunn, Ekern, Emswiler, Findlater, Freshman, Goodwin, Hess, Kirscher, Listug, Long, Malee, McLeod, Melin, Metlen, Moss (Flathead), Murray, O'Connor, Padbury, Roehl, Smith, Stafford, Tyler, Vanderbeck, Woods, Zuck. Total 34.

House Bill No. 221 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Bjorneby, Bower, Brower, Brown, Cannon, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Flynn, Friedl, Gebhardt, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Kirscher, Laubach, Lehrkind, Liggett, Lippard, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Miles, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stevens, Stewart, Stromnes, Wenger, Williams, Wilson, Petersen, Mr. Speaker. Total 71.

Noes: D'Ewart, Sullivan. Total 2.

Absent and not voting: Acher, Baker, Beadle, Beck, Berthot, Byrne, Clark, Dunn, Ekern, Emswiler, Findlater, Freshman, Goodwin, Hess, Lambert, Leuthold, Listug, Malee, Melin, Metlen, Morrison, Moss (Flathead), Smith, Stanford, Tyler, Vanderbeck, Woods, Zuck. Total 28.

Passed their vote: Watson. Total 1.

House Bill No. 271 was passed by the following vote:

Ayes: Acton, Anderson (Cascade), Aronson, Beck, Bjorneby, Bower, Brown, Cannon, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Emswiler, Flynn, Friedl, Gebhardt, Green, Hageman, Hammond, James, Kellogg, Laubach, Lehrkind, Liggett, Lippard, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McFatridge, McGee, McKenna, McLeod, Miles, Moss (Flathead), Moss (Custer), Murray, Padbury, Parker (Flathead), Petersen, Reed, Ryan, Scofield, Siegling, Sorte, Spiegel, Stevens, Stewart, Stromnes, Sullivan, Tyler, Wenger, Williams, Woods, Mr. Speaker. Total 59.

Noes: Antrim, Armstrong, Berthot, Brower, D'Ewart, Dougherty, Duncan, Findlater, Horrigan, Kirscher, Lambert, Leuthold, Newell, O'Connor, Parker (Wibaux), Potter, Rice, Watson, Wilson. Total 19.

Absent and not voting: Acher, Anderson (Phillips), Baker, Balgord, Beadle, Byrne, Clark, Dunn, Ekern, Freshman, Goodwin, Hess, Hoiness, Listug, Malee, McClain, Melin, Metlen, Morrison, Roehl, Smith, Stafford, Vanderbeck, Zuck. Total 24.

House Bill No. 188 was passed by the following vote:

Ayes: Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Emswiler, Flynn, Green, Hageman, Hammond, Hoiness, Horrigan, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Loughran, Lowe, Lynch, McCarthy, McClain, McFatridge, McKenna, Metlen, Miles, Moss (Flathead), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Ryan, Scofield, Siegling, Stevens, Stromnes, Sullivan, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 64.

Noes: Acton, Beck, Findlater, Friedl, James, Long, Longenecker, Martin, McGee, Petersen, Rice, Spiegel, Tyler. Total 13.

Absent and not voting: Acher, Anderson (Phillips), Baker, Beadle, Byrne, Clark, Dunn, Ekern, Freshman, Gebhardt, Goodwin, Hess, Lambert, Listug, Malee, McLeod, Melin, Morrison, Moss (Custer), Roehl, Smith, Sorte, Stafford, Stewart, Vanderbeck. Total 25.

House Bill No. 72 failed to pass by the following vote:

Ayes: Anderson (Phillips), Antrim, Aronson, Bjorneby, Bower, Brower, Byrne, Cole (Prairie), Collins, D'Ewart, Dougherty, Duncan, Emswiler, Green, Hageman, Horrigan, Kellogg, Laubach, Lehrkind, Leuthold, Lippard, Loughran, Lowe, Lynch, Metlen, Miles, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Scofield, Siegling, Sorte, Stewart, Stromnes, Wenger, Williams, Wilson. Total 40.

Noes: Acton, Anderson (Cascade), Armstrong, Balgord, Beck, Brown, Cannon, Cole (Petroleum), Daniel, DeDobbeleer, Flynn, Friedl, Gebhardt, Hammond, Hoiness, James, Kirscher, Lambert, Liggett, Long, Longenecker, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Moss (Custer), Murray, Petersen, Reed, Rice, Ryan, Spiegel, Stevens, Sullivan, Tyler, Watson, Zuck, Mr. Speaker. Total 41.

Absent and not voting: Acher, Baker, Beadle, Berthot, Clark, Dunn, Ekern, Findlater, Freshman, Goodwin, Hess, Listug, Malee, Melin, Morrison, Moss (Flathead), Roehl, Smith, Stafford, Vanderbeck, Woods. Total 21.

House Bill No. 105 was passed by the following vote:

Ayes: Acton, Anderson, (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Findlater, Flynn, Friedl, Gebhardt, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Metlen, Miles, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Ryan, Scofield, Siegling, Sorte, Spiegel, Stevens, Stewart, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 79.

Noes: Emswiler. Total 1.

Absent and not voting: Acher, Baker, Beadle, Clark, Dunn, Ekern, Freshman, Goodwin, Hess, Lippard, Listug, Malee, Melin, Morrison, Moss (Flathead), Parker (Flathead), Roehl, Smith, Stafford, Stromnes, Vanderbeck, Woods. Total 22.

House Bill No. 205 was passed by the following vote:

Ayes: Acton, Aronson, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Emswiler, Findlater, Flynn, Friedl, Gebhardt, Green, Hageman, Hammond, Hoiness, James, Kellogg, Kirscher, Laubach, Lehrkind, Leu-

thold, Liggett, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Metlen, Miles, Newell, O'Connor, Padbury, Potter, Reed, Rice, Ryan, Scofield, Sorte, Spiegel, Stevens, Stewart, Stromnes, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck, Siegling, Mr. Speaker. Total 68.

Noes: Anderson (Phillips), Armstrong, Horrigan. Total 3.

Absent and not voting: Acher, Anderson (Cascade), Baker, Balgord, Beadle, Beck, Clark, Cole (Petroleum), Dougherty, Dunn, Ekern, Freshman, Goodwin, Hess, Lippard, Listug, Malee, Melin, Morrison, Moss (Flathead), Moss (Custer), Murray, Parker (Wibaux), Parker, (Flathead), Petersen, Roehl, Smith, Stafford, Vanderbeck, Lambert. Total 30.

Passed their vote: Antrim. Total 1.

House Bill No. 260 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Beck, Berthot, Bjorneby, Bower, Brown, Byrne, Cannon, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Emswiler, Friedl, Gebhardt, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Metlen, Miles, Moss (Flathead), Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Ryan, Scofield, Siegling, Sorte, Spiegel, Stevens, Stewart, Stromnes, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 77.

Noes: Dougherty, Findlater, Flynn. Total 3.

Absent and not voting: Acher, Anderson (Cascade), Baker, Balgord, Beadle, Brower, Clark, Dunn, Ekern, Freshman, Goodwin, Hess, Lambert, Listug, Malee, Melin, Morrison, Murray, Roehl, Smith, Stafford, Vanderbeck. Total 22.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Thursday, February 16th, 1939, at 9:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

FORTY-SIXTH DAY

House of Representatives,
Helena, Montana,
February 16, 1939.

House convened, pursuant to adjournment, at 9:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except Acher, who was excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Forty-fifth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bills Nos. 356, 374, 382, 393, 421 and 423, beg leave to recommend that the same be considered correctly engrossed.

KIRSCHER, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Acton, duly seconded and carried, that House Bill No. 326 be taken from Third Reading and placed on General Orders.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

Spiegel in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration, the following, recommend:

That House Bills Nos. 360 and 222 do pass.

That House Bill No. 264 be amended as follows: Amend the title by striking the following in lines 2 and 3, "Section 1, Chapter 118 of the Laws of the Twenty-first Legislative Assembly of 1929" and inserting in lieu thereof the following "Section 950.1 of the Revised Codes of Montana of 1935."

Amend Section 1 by striking the following in lines 1 and 2 the following "Section 1 of Chapter 118 of the Laws of the Twenty-first Legislative Assembly of 1929" and insert in lieu thereof "Section 950.1 of the Revised Codes of Montana of 1935" and also strike the words "Section 1" in line 2 and insert in lieu thereof the words and figures "Section 950.1" and as amended do pass.

That House Bill No. 293 do pass.

That the enacting clause be stricken from House Bill No. 110.

SPIEGEL, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 426, respectfully report as follows: That House Bill No. 426 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 425, respectfully report as follows: That House Bill No. 425 do pass.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 62, respectfully report as follows: That House Bill No. 62 be amended:

By striking the period at the end of line 20, page 1, and substituting a comma therefor, and adding thereafter the following words: "provided, this Act shall not be construed to apply to taxes which the county assessor was required by law to certify to the county treasurer prior to December 1, 1938." And by striking all of Section 6. And as amended be printed and placed on General Orders.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 396, respectfully report as follows: That House Bill No. 396 do not pass.

METLEN, Chairman.

It was moved by Metlen, duly seconded, that the report of the Committee be adopted.

On substitute motion, it was moved by McLeod, duly seconded and carried, that House Bill No. 396 be printed and placed on General Orders.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 152, respectfully report as follows: That House Bill No. 152 do not pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 353, respectfully report as follows: That House Bill No. 353 do not pass, but that Substitute House Bill No. 353: A Bill for an Act entitled: "An Act relating to the licensing of slot machines; defining slot machines; providing the manner of licensing; allowing cities, towns, and counties to license slot machines in addition to a state license; and for the disposition of fees; prohibiting the operation of slot machines without a license; prohibiting those under the age of majority to play such machines; providing penalties for the violation of this act; repealing all Acts and parts of Acts in conflict herewith." Do pass.

METLEN, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that House Bill No. 405 be taken from the Committee on Social Security and placed on General Orders for amendment.

It was moved by O'Connor, duly seconded and carried, that House Bill No. 356 be taken from Third Reading and placed on General Orders.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Substitute House Bill No. 13, having failed concurrence in the Senate this day, is hereby returned to the House.

Respectfully,

GEORGE A. BURR,

Secretary of the Senate.

THIRD READING

The following, having been read three several times at length, history and title agreed to, was disposed of as follows:

House Bill No. 421 was passed by the following vote:

Ayes: Anderson (Phillips), Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Brown, Byrne, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Flynn, Friedl, Goodwin, Hammond, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Liggett, Lippard, Listug, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stromnes, Sullivan, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 76.

Noes: Brower and Long. Total 2.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Armstrong, Aronson, Bower, Cannon, Clark, Findlater, Freshman, Gebhardt, Green, Hageman, Hess, Laubach, Lehrkind, Leuthold, Longenecker, Metlen, Stewart, Newell, Tyler and Woods. Total 23.

Passed their vote: Acon. Total 1.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 180, beg leave to report as follows:

That whereas this bill was referred to us at 5:00 o'clock P. M. yesterday and no time was available to consider it because all members of the committee were interested in General Orders and we were in Session until approximately 11:00 P. M. and therefore, no meeting of the Committee on Judiciary was held until this morning to consider the same, and

Whereas, said bill has annexed to it approximately six type written pages of proposed amendments and that same, however, not having been adopted by the Committee on Public Health from which the bill came to us, and

Whereas, the title of said bill, on cursory examination, appears to be defective and the same entailing, on our part, before we can attempt to amend the same or make recommendations thereon, a comprehensive study of the Workmen's Compensation Act of this State;

It was the consensus of the Committee that a sub-committee be appointed to examine into said bill and into said proposed amendments and any other necessary amendments, and after doing so, we will try to report the same to this House in time for action, however, if there is an attempt on the part of any member of the floor to blast this bill from the committee, we invite such motion at this time, but we do not propose to spend any time on it if it is going to be blasted out of the committee in its present form.

We, will only give this assurance, that we will try to get the bill out in time for it to be acted upon, bearing in mind that we are making no promises at the present time as to when we will get it out, or what recommendations we will make on the bill, if any, when we report.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 331, 422, 342, 371 and Substitute House Bill No. 309, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Spiegel in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 211 do pass.

That the enacting clause be stricken from House Bill No. 332.

That House Bill No. 373 be amended as follows: Amend Section 2, line 8 by striking the words and figures "ten (10)" and inserting in lieu thereof the words and figures "five (5)", and as amended do pass.

That House Bills No. 403, 162 and 322 do pass.

SPIEGEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bills Nos. 222 and 360, beg leave to recommend that the same be considered correctly engrossed.

RICE, Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 1, respectfully report as follows: That House Bill No. 1 do not pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 281, respectfully report as follows: That House Bill No. 281 do not pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 302, respectfully report as follows: That House Bill No. 302 do not pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 315, respectfully report as follows: That House Bill No. 315 do not pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 300, respectfully report as follows: That House Bill No. 300 do not pass.

METLEN, Chairman.

It was moved by Metlen, duly seconded, that the report of the committee be adopted.

On substitute motion, it was moved by Stevens, duly seconded, that House Bill No. 300 be printed and placed on General Orders. After discussion, the previous question was moved by McLeod, duly seconded and carried, and motion by Stevens lost. Whereupon the report of the committee was adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 298, respectfully report as follows: That House Bill No. 298 do not pass.

METLEN, Chairman.

It was moved by Metlen, duly seconded, that the report of the committee be adopted.

On substitute motion, it was moved by Stevens, duly seconded, that House Bill No. 298 be printed and placed on General Orders. A roll call was requested by the required number, to be entered in the Journal, and motion by Stevens lost by the following vote:

Ayes: Acton, Beadle, Bower, Brower, Byrne, Collins, Flynn, Horrigan, Long, Longenecker, McClain, Miles, Moss (Custer), Petersen, Rice, Scofield, Stevens, Stewart, Stromnes and Woods. Total 20.

Noes: Anderson (Phillips), Antrim, Armstrong, Balgord, Beck, Bjorneby, Brown, Cannon, Cole (Petroleum), Cole (Prairie), Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Freshman, Gebhardt, Goodwin, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Loughran, Lynch, Malee, McCarthy, McFatridge, McKenna, McLeod, Melin, Metlen, Morrison, Moss (Flathead), Murray, Newell, O'Connor, Parker (Wibaux), Parker (Flathead), Potter, Reed, Roehl, Siegling, Smith, Sorte, Spiegel, Stafford, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Wilson, Zuck and Mr. Speaker. Total 65.

Absent and not voting: Acher, Anderson (Cascade), Aronson, Baker, Berthot, Clark, Findlater, Friedl, Green, Hageman, Lippard, Lowe, Martin, McGee, Padbury, Ryan and Williams. Total 17.

Whereupon motion to adopt committee report carried.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 406, respectfully report as follows: That House Bill No. 406 be printed and placed on General Orders.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 418, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bills Nos. 211 and 403, beg leave to recommend that the same be considered correctly engrossed.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: Nos. 273, 291, 293, 351, 381 and 31.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills, having been read three several times, title and history agreed to and passed, are herewith transmitted to the House for concurrence:

Senate Bill No. 37.

Senate Joint Resolution No. 2.

Senate Bills Nos. 169, 144, 77, 172, 166, 181.

Senate Joint Memorial No. 18.

Senate Joint Resolution No. 5.

Senate Bills Nos. 140, 197, 149, 199, 198, 211, 176, 173.

Senate Joint Memorials Nos. 17 and 16.

Senate Bills Nos. 138, 201, 210, 71, 119, 164, 177, 74.

Respectfully,

GEORGE A. BURR,

Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Tyler, duly seconded, that the House reconsider its action on House Bill No. 263. On substitute motion, it was moved by McLeod, duly seconded and carried, that the motion by Tyler be laid on the table.

It was moved by Hammond, duly seconded, that the House reconsider its action on House Bill No. 72. On substitute motion, it was moved by Cannon, duly seconded, that the motion by Hammond be tabled. A Call of the House was demanded by the required number. On motion, duly seconded and carried, Call of the House was dispensed with.

A roll call, to be entered in the Journal, was requested by the required number, and motion by Cannon was lost by the following vote:

Ayes: Anderson (Phillips), Balgord, Beadle, Beck, Bjorneby, Bower, Brown, Cannon, Daniel, DeDobbeleer, D'Ewart, Ekern, Flynn, Friedl, Gebhardt, Hess, Hoiness, Horrigan, James, Kirscher, Lambert, Liggett, Long, Longenecker, Malee, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Moss (Custer), Murray, Parker (Wibaux), Petersen, Reed, Rice, Spiegel, Sullivan, Woods and Mr. Speaker. Total 41.

Noes: Acton, Antrim, Armstrong, Aronson, Brower, Byrne, Cole (Petroleum), Cole (Prairie), Collins, Dougherty, Duncan, Dunn, Emswiler, Freshman, Goodwin, Hageman, Hammond, Kellogg, Laubach, Lehrkind, Leuthold, Lippard, Listug, Loughran, Lowe, Lynch, McFatridge, Metlen, Miles, Morrison, Moss (Flathead), Newell, O'Connor, Padbury, Parker (Flathead), Potter, Roehl, Scofield, Siegling, Smith, Sorte, Stafford, Stevens, Stewart, Stromnes, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson and Zuck. Total 52.

Absent and not voting: Acher, Anderson (Cascade), Baker, Berthot, Clark, Findlater, Green, Martin and Ryan. Total 9.

Whereupon motion to reconsider House Bill No. 72, was carried.

It was moved by Acton, duly seconded, that the House reconsider its action in regard to the committee report on House Bill No. 406. Motion lost.

THIRD READING

House Bill No. 31, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Balgord, Beadle, Bjorneby, Brower, Brown, Byrne, Cole (Petroleum), Cole (Prairie), Collins, Daniel, D'Ewart, Dunn, Gebhardt, Hammond, Hoiness, Horrigan, Laubach, Liggett, Loughran, Malee, McCarthy, McClain, McFatridge, McKenna, McLeod, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Flathead), Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Stafford, Stewart, Stromnes, Sullivan, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 56.

Noes: Antrim, Beck, Berthot, Bower, Cannon, Dougherty, Duncan, Ekern, Emswiler, Friedl, Goodwin, Hageman, Hess, James, Kirscher, Lambert, Lehrkind, Leuthold, Lippard, Listug, Long, Longenecker, Lowe, Lynch, Melin, Metlen, Miles, Morrison, Parker (Wibaux), Petersen, Spiegel, Stevens and Tyler. Total 33.

Absent and not voting: Acher, Baker, Clark, DeDobbeleer, Findlater, Freshman, Green, Kellogg, Martin, Ryan and Sorte. Total 11.

Passed their vote: Flynn and McGee. Total 2.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Spiegel in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 350 be amended as follows: Amend Section 5 by striking out in line 34 the words and figures "two hundred and fifty dollars (\$250.00)" and inserting in lieu thereof the words and figures "Two Hundred Dollars (\$200.00)", and as amended do pass.

That House Bill No. 323 do pass.

That Substitute House Bill No. 58 do pass.

That the enacting clause be stricken from House Bill No. 284.

That House Bills Nos. 287 and 288 do pass.

That the enacting clause be stricken from House Bill No. 326.

That House Bill No. 357 do pass.

That consideration of Substitute House Bill No. 337 be passed temporarily.

That the enacting clause be stricken from House Bill No. 377.

SPIEGEL, Chairman.

It was moved by Spiegel, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Lehrkind, duly seconded, that House Bill No. 323 be segregated from the report. A roll call, to be entered in the Journal, was requested by the required number, and motion to segregate was lost by the following vote:

Ayes: Antrim, Aronson, Beadle, Berthot, Bjerneby, Bower, Brown, Byrne, Cole (Prairie), D'Ewart, Dougherty, Duncan, Dunn, Flynn, Freshman, Goodwin, Hoiness, James, Kellogg, Laubach, Lehrkind, Lippard, Listug, Loughran, Lowe, Lynch, Martin, McCarthy, McFatrige, McKenna, Potter, Scofield, Spiegel, Stevens, Tyler, Watson and Mr. Speaker. Total 37.

Noes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Baker, Balgord, Beck, Brower, Cannon, Cole (Petroleum), Collins, Daniel, DeDobbeleer, Emswiler, Findlater, Friedl, Gebhardt, Green, Hageman, Hess, Horrigan, Leuthold, Liggett, Long, Longenecker, Malee, McClain, McGee, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Newell, O'Connor, Padbury, Parker (Flathead), Petersen, Reed, Rice, Roehl, Siegling, Smith, Sorte, Stafford, Stewart, Stromnes, Sullivan, Vanderbeck, Wenger, Williams, Wilson, Woods, Zuck. Total 55.

Absent and not voting: Acher, Clark, Ekern, Hammond, Kirscher, Lambert, Moss (Flathead), Murray, Parker (Wibaux), Ryan. Total 10.

As a substitute motion, it was moved by Longenecker, duly seconded and carried, that House Bill No. 377 be segregated from the report of the

Committee of the Whole. Whereupon the report of the Committee of the Whole was adopted as amended.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 372, 183, 224, 378, 111, 385, 387, 228, 133, 252 and House Joint Resolution No. 7, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 162, 237, 264, 317, 322, 419 and House Joint Resolution No. 4.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bills Nos. 288 and Substitute House Bill No. 58, beg leave to recommend that the same be considered correctly engrossed.

RICE, Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that the House recess until 8:30 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 45, respectfully report as follows: That Senate Bill No. 45 be concurred in.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 19, respectfully report as follows: That Senate Bill No. 19 be concurred in.

BJORNEBY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 19, respectfully report as follows: That House Bill No. 19 do not pass.

MALEE, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Senate on this day failed to concur in House Bill No. 207, and the same is herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bills Nos. 207, 212, 186 and 130 were this day read three several times, title and history agreed to and passed, and are herewith transmitted to the House for concurrence.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 250 and 80.

COLE, Vice-Chairman.

Report adopted.

I have examined House Bill No. 80 introduced by me and find the same to be correct.

LEHRKIND.

I have examined House Bill No. 250 introduced by me and find the same to be correct.

DOUGHERTY.

THIRD READING

The following, having been read three several times, history and title agreed to, all appropriation measures having been read at length, were disposed of as follows:

House Bill No. 233 was passed by the following vote:

Ayes: Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Dunn, Ekern, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Hess, Kirscher, Lambert, Lehrkind, Leuthold, Long, Loughran, Malee, Martin, McCarthy, McClain, McFatridge, McKenna, Morrison, Moss (Custer), O'Connor, Parker (Flathead), Petersen, Reed, Rice, Siegling, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 59.

Noes: Acton, Cole (Petroleum), Duncan, Emswiler, Findlater, Green, Hageman, Kellogg, Lippard, Listug, Longenecker, Lowe, Lynch, Miles, Newell, Padbury, Parker (Wibaux), Potter, Roehl, and Scofield. Total 20.

Absent and not voting: Acher, Anderson (Cascade), Baker, Byrne, Cannon, Clark, D'Ewart, Hammond, Hoiness, Horrigan, James, Laubach, Liggett, McGee, McLeod, Melin, Metlen, Moss (Flathead), Murray, Ryan, Smith, Sorte, Vanderbeck. Total 23.

House Bill No. 423 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cole (Petroleum), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Hageman, Hess, Kellogg, Kirscher, Lambert, Lehrkind, Leuthold, Lippard, Listug, Longenecker, Loughran, Lowe, Malee, Martin, McCarthy, McClain, McFatridge, McKenna, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 72.

Noes: Goodwin. Total 1.

Absent and not voting: Acher, Anderson (Cascade), Armstrong, Byrne, Cannon, Clark, Cole (Prairie), D'Ewart, Green, Hammond, Hoiness, Horrigan, James, Laubach, Liggett, Long, Lynch, McGee, McLeod, Melin, Metlen, Moss (Flathead), Murray, O'Connor, Roehl, Ryan, Smith, Stromnes, Vanderbeck. Total 29.

House Bill No. 282, being a constitutional amendment requiring a two-thirds majority of the whole House, failed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Berthot, Bjorneby, Brower, Cole (Petroleum), Cole (Prairie), Collins, Daniel, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Freshman, Gebhardt, Goodwin, Green, Hageman, Kellogg, Kirscher, Lehrkind, Leuthold, Lippard, Listug, Longenecker, Lowe, Lynch, Malee, McFatrige, Miles, Morrison, Newell, O'Connor, Padbury, Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 63.

Noes: Anderson (Cascade), Beadle, Beck, Bower, Brown, Cannon, DeDobbeleer, Ekern, Flynn, Friedl, Hess, Lambert, Long, Loughran, Martin, McCarthy, McClain, McKenna, Moss (Custer), Parker (Wibaux), Parker (Flathead), and Spiegel. Total 22.

Absent and not voting: Acher, Byrne, Clark, Hammond, Hoiness, Horrigan, James, Laubach, Liggett, McGee, McLeod, Melin, Metlen, Moss (Flathead), Murray, Ryan and Vanderbeck. Total 17.

House Bill No. 320 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hess, James, Kellogg, Kirscher, Lambert, Lehrkind, Leuthold, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McKenna, McLeod, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 82.

Noes: Cole (Prairie). Total 1.

Absent and not voting: Acher, Anderson (Cascade), Byrne, Cannon, Clark, Hageman, Hammond, Hoiness, Horrigan, Laubach, Liggett, McGee, Melin, Metlin, Moss (Flathead), Ryan, Smith, Stromnes and Vanderbeck. Total 19.

House Bill No. 420 was passed by the following vote:

Ayes: Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, James, Kellogg, Kirscher, Lehrkind, Leuthold, Lippard, Listug, Long, Longenecker, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McKenna, McLeod, Morrison, Moss (Custer), Murray, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Watson, Wenger, Williams, Woods, Zuck and Mr. Speaker. Total 76.

Noes: Findlater, Lowe, McFatrige, Miles, Newell, O'Connor, Scofield and Wilson. Total 8.

Absent and not voting: Acher, Acton, Anderson (Cascade), Byrne, Cannon, Clark, Hammond, Hoiness, Horrigan, Lambert, Laubach, Liggett, McGee, Melin, Metlen, Moss (Flathead), Ryan and Vanderbeck. Total 18.

House Bill No. 347 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Horrigan, James, Kellogg, Kirscher, Lambert, Lehrkind, Leuthold, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McKenna, McLeod, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 87.

Noes: Miles. Total 1.

Absent and not voting: Acher, Anderson (Cascade), Byrne, Hammond, Hoiness, Laubach, Liggett, McGee, Melin, Metlen, Ryan, Smith, Stromnes, and Vanderbeck. Total 14.

House Bill No. 258 was passed by the following vote:

Ayes: Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Green, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Lippard, Long, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McKenna, McLeod, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 83.

Noes: Acton and Longenecker. Total 2.

Absent and not voting: Acher, Anderson (Cascade), Byrne, Cannon, Clark, Goodwin, Hageman, Hammond, Horrigan, Leuthold, Liggett, Listug, Malee, McGee, Melin, Parker (Flathead) and Ryan. Total 17.

House Bill No. 217 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Hageman, Hoiness, Horrigan, James, Kellogg, Kirscher, Lehrkind, Leuthold, Lippard, Listug, Long, Longenecker, Loughran, Lynch, Martin, McClain, McFatridge, McKenna, McLeod, Metlen, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 79.

Noes: Balgord, Goodwin, Green, Hess, Lambert, Lowe and Scofield. Total 7.

Absent and not voting: Acher, Anderson (Cascade), Baker, Byrne, Clark, Hammond, Laubach, Liggett, Malee, McCarthy, McGee, Melin, Miles, Moss (Flathead), Ryan and Stromnes. Total 16.

House Bill No. 382 was passed by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Dunn, Ekern, Findlater, Freshman, Gebhardt, Goodwin, Hageman, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lynch, Malee, McCarthy, McClain, McFatrige, McKenna, McLeod, Metlen, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stewart, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 77.

Noes: D'Ewart, Duncan, Emswiler, Flynn, Green, Lowe, Martin, Miles, Rice. Total 19.

Absent and not voting: Acher, Acton, Balgord, Byrne, Clark, Cole (Petroleum), Friedl, Hammond, Lambert, Laubach, McGee, Melin, Ryan, Stevens, Stromnes and Vanderbeck. Total 16.

House Bill No. 303 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Clark, Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Green, Hageman, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Leuthold, Lippard, Listug, Long, Longenecker, Loughran, Lynch, Malee, Martin, McClain, McFatrige, McKenna, McLeod, Metlen, Morrison, Moss (Flathead), Moss (Custer), Murray, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Rice, Roehl, Smith, Sorte, Spiegel, Stafford, Stromnes, Sullivan, Tyler, Vanderbeck, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 72.

Noes: Anderson (Cascade), Balgord, Cannon, Cole (Petroleum), Cole (Prairie), D'Ewart, Flynn, Goodwin, Lambert, Liggett, Lowe, Miles, Newell, O'Connor, Padbury, Scofield, Siegling and Watson. Total 18.

Absent and not voting: Acher, Byrne, Hammond, Laubach, Lehrkind, McCarthy, McGee, Melin, Potter, Ryan, Stevens and Stewart. Total 12.

Substitute House Bill No. 393 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, James, Kirscher, Lambert, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McKenna, McLeod, Metlen, Moss (Flathead), Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Petersen, Reed, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stromnes, Tyler, Vanderbeck, Watson, Wenger, Williams, Woods, Zuck and Mr. Speaker. Total 75.

Noes: Cole (Petroleum), Cole (Prairie), Findlater, Morrison, O'Connor, Potter, Rice and Wilson. Total 8.

Absent and not voting: Acher, Armstrong, Aronson, Clark, Hammond, Horrigan, Kellogg, Laubach, Lehrkind, Leuthold, Lippard, McGee, Melin, Miles, Parker (Flathead), Ryan, Stevens, Stewart and Sullivan. Total 19.

House Bill No. 344 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Aronson, Baker, Beadle, Beck, Berthot, Bjorneby, Brower, Brown, Byrne, Cannon, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan,

Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, James, Kellogg, Kirscher, Leuthold, Lippard, Longenecker, Loughran, Lowe, Lynch, Malee, McCarthy, McClain, McFatridge, McKenna, McLeod, Metlen, Morrison, Moss (Flathead), Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 79.

Noes: Balgord, Lambert, Liggett, Long, Martin, Miles and Tyler. Total 7

Absent and not voting: Acher, Anderson (Cascade), Armstrong, Bower, Clark, Hammond, Horrigan, Laubach, Lehrkind, Listug, McGee, Melin, Murray, Ryan, Siegling, Sullivan. Total 16.

Substitute House Bill No. 103 was passed by the following vote:

Ayes: Acton, Aronson, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, James, Kellogg, Kirscher, Lambert, Leuthold, Liggett, Listug, Long, Loughran, Lowe, Martin, McFatridge, Metlen, Miles, Morrison, Moss (Flathead), Newell, O'Connor, Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Stafford, Stevens, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 63.

Noes: Anderson (Phillips), Antrim, Armstrong, Byrne, Cannon, Cole (Petroleum), Dougherty, Emswiler, Hoiness, Horrigan, Lippard, Longenecker, Lynch, McClain, McKenna, McLeod, Moss (Custer), Murray, Padbury, Parker (Flathead), Sorte, Spiegel, Stewart and Stromnes. Total 24.

Absent and not voting: Acher, Anderson (Cascade), Baker, Clark, Hammond, Laubach, Lehrkind, Malee, McCarthy, McGee, Melin, Parker (Wibaux), Ryan, Sullivan and Woods. Total 15.

Substitute House Bill No. 374 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Brower, Brown, Byrne, Cannon, Cole (Petroleum), Cole (Prairie), Collins, Daniel DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Green, Hageman, Hess, Hoiness, Horrigan, James, Kirscher, Lehrkind, Leuthold, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McFatridge, McKenna, McLeod, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Vanderbeck, Watson, Wenger, Williams, Wilson and Mr. Speaker. Total 80.

Noes: Lambert, Long, McClain and Zuck. Total 4.

Absent and not voting: Acher, Antrim, Bower, Clark, Hammond, Kellogg, Laubach, Liggett, Malee, McGee, Melin, O'Connor, Padbury, Ryan, Sullivan, Tyler and Woods. Total 17.

Passed their vote: Goodwin. Total 1.

Substitute House Bill No. 170 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer,

D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Green, Hageman, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McKenna, McLeod, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson and Mr. Speaker. Total 85.

Noes: Goodwin and Zuck. Total 2.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Clark, Hammond, Lambert, Laubach, Lippard, McGee, Melin, Moss (Flathead), Ryan, Sorte, Stromnes, Woods. Total 15.

House Bill No. 72 was passed by the following vote:

Ayes: Anderson (Phillips), Antrim, Aronson, Baker, Balgord, Berthot, Brower, Byrne, Cole (Petroleum), Cole (Prairie), Collins, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Freshman, Friedl, Goodwin, Green, Hageman, Horrigan, Kellogg, Kirscher, Lehrkind, Leuthold, Listug, Loughran, Lowe, Lynch, Malee, McFatridge, Metlen, Miles, Morrison, Moss (Flathead), Newell, O'Connor, Padbury, Parker (Wibaux), Potter, Roehl, Scofield, Siegling, Smith, Sorte, Stafford, Stewart, Stromnes, Vanderbeck, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 57.

Noes: Acton, Anderson (Cascade), Beadle, Beck, Bjorneby, Brown, Cannon, Daniel, DeDobbeleer, Ekern, Flynn, Gebhardt, Hess, James, Lambert, Liggett, Long, Longenecker, Martin, McCarthy, McClain, McKenna, McLeod, Moss (Custer), Murray, Parker (Flathead), Petersen, Reed, Rice, Spiegel, Sullivan, Tyler, Watson. Total 33.

Absent and not voting: Acher, Armstrong, Bower, Clark, Hammond, Hoiness, Laubach, Lippard, McGee, Melin, Ryan, and Stevens. Total 12.

House Bill No. 322 was passed by the following vote:

Ayes: Acton, Armstrong, Aronson, Baker, Balgord, Beadle, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cole (Petroleum), Collins, Daniel, D'Ewart, Dunn, Ekern, Emswiler, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, Kellogg, Lambert, Leuthold, Liggett, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, Malee, McClain, McFatridge, McGee, McKenna, Metlen, Miles, Morrison, Moss (Custer), Newell, O'Connor, Padbury, Parker (Flathead), Potter, Reed, Roehl, Scofield, Siegling, Smith, Sorte, Stevens, Stewart, Stromnes, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 69.

Noes: Antrim, Cole (Prairie), Dougherty, Duncan, Findlater, James, Long, Martin, Petersen, Spiegel and Stafford. Total 11.

Absent and not voting: Acher, Anderson (Phillips), Anderson (Cascade), Beck, Cannon, Clark, DeDobbeleer, Hammond, Horrigan, Kirscher, Laubach, Lehrkind, McCarthy, McLeod, Melin, Moss (Flathead), Murray, Parker (Wibaux), Rice, Ryan, Sullivan, and Tyler. Total 22.

House Bill No. 273 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Brower, Brown, Cannon, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, James, Kellogg, Kirscher, Lehrkind, Leuthold, Liggett, Listug, Longenecker,

Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 81.

Noes: Baker, Lambert and Long. Total 3.

Absent and not voting: Acher, Bower, Byrne, Clarke, Hammond, Hoiness, Horrigan, Laubach, Lippard, McFatridge, Melin, Moss (Flathead), Padbury, Parker (Wibaux), Ryan, Stevens, Stromnes and Sullivan. Total 18.

House Bill No. 419 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Cole (Prairie), Daniel, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stromnes, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 85.

Absent and not voting: Acher, Anderson (Cascade), Beck, Byrne, Clark, Cole (Petroleum), Collins, DeDobbeleer, Hammond, Laubach, Lehrkind, Melin, Petersen, Rice, Ryan, Stewart, Sullivan. Total 17.

MOTIONS AND RESOLUTIONS

It was moved by Parker of Flathead, duly seconded, that the House reconsider its action on House Bill No. 282, which failed to pass on Third Reading.

On substitute motion, it was moved by Spiegel, duly seconded, that the motion by Parker of Flathead be laid on the table. Motion lost, whereupon motion to reconsider carried.

It was moved by McLeod, duly seconded and carried, that House Bill No. 23 be taken from Third Reading and re-referred to the Committee on Revenue and Taxation.

It was moved by Stromnes, duly seconded and carried, that the House reconsider its action on adopting an unfavorable committee report on House Bill No. 266.

It was moved by Cannon, duly seconded, that the House reconsider its action on House Bill No. 110. Motion lost.

It was moved by Stromnes, duly seconded and carried, that House Bill No. 266 be printed and placed on General Orders.

THIRD READING

A call of the House was requested by the required number. On motion, duly seconded and carried, call of the House was dispensed with.

House Bill No. 282, introduced by Leuthold, having been read three several times, history and title agreed to, and being a Constitutional Amendment, was passed by the necessary two-thirds vote of the entire membership of the House as required by Section 9, Article XIX, of the

State Constitution, and in compliance with the provisions thereof, the bill is set forth in its entirety as follows:

House Bill No. 282, introduced by Leuthold: A Bill for an Act entitled: "An Act to amend Section 20, Article VII of the Constitution of the State of Montana; providing for a Board of Control; providing for their appointment; defining their powers and term of office; providing for submission of the said Act to the qualified electors of the State of Montana."

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section 20 of Article VII of the Constitution of the State of Montana be amended to read as follows:

"Section 20-1. There shall be a board of control consisting of three members, the chairman of which shall be the governor of the state. The governor shall appoint the other two members for a period of five years who shall be confirmed by the Senate. The first appointment shall be for a three year term and the other for five years.

"Section 20-2. The State Board of Control shall have full powers over all financial matters of the state and access to all records at any time and it shall be the duty of every officer, employee or agent to provide the Board of Control with any and all information required. They shall perform such other duties as the Legislature may prescribe by law. The compensation of the board shall be six thousand five hundred dollars (\$6,500.00) each year for each of the two members appointed by the governor.

"Section 20-3. The governor, secretary of state and attorney general shall constitute a board of state prison commissioners, which board shall have such supervision of all matters connected with the state prisons as may be prescribed by law. They shall constitute a board of examiners, with power to examine all claims against the state, except salaries or compensation of officers fixed by law, and perform such other duties as may be prescribed by law. The legislative assembly may provide for the temporary suspension of the state treasurer by the governor, when the board of examiners deem such action necessary for the protection of the moneys of the state."

Section 2. There shall be a referendum upon this Act and the secretary of state of the State of Montana is hereby required and it is made his duty to submit this Act to the people of the State of Montana for their approval or rejection at the general election to be held in November, 1940, in accordance with the provisions of the Constitution and the laws of the State of Montana relative thereto; the title and number of this referendum Act shall be printed upon the official ballot used at said election, and below the title shall be printed the words:

- ☐ For the amendment to the Constitution for a State Board of Control.
- ☐ Against the amendment to the Constitution for a State Board of Control.

Section 3. The vote upon this referendum Act shall be counted and canvassed as is provided by law and if a majority of all votes cast at such election for and against such referendum Act shall be in favor of the Act, the Governor of the State of Montana shall immediately so declare by public proclamation.

Section 4. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 5. This Act shall be in full force and effect from and after its passage and approval.

House Bill No. 282 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Berthot, Bjorneby, Brower, Byrne, Cole (Petroleum), Cole (Prairie), Collins, Daniel, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Freshman, Gebhardt, Goodwin, Green, Hageman, Hoiness, Horrigan, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, Malee, McFatrige, Metlen, Miles, Morrison, Moss (Flathead), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Scofield, Siegling, Smith, Sorte, Stafford, Stevens, Stewart, Stromnes, Sullivan, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 72.

Noes: Anderson (Cascade), Beadle, Beck, Bower, Brown, Cannon, DeDobbeleer, Ekern, Flynn, Hess, James, Lambert, Long, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Moss (Custer), Murray, Spiegel, Friedl and Tyler. Total 24.

Absent and not voting: Acher, Clark, Hammond, Melin, Rice and Ryan. Total 6.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

O'Connor in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following recommend:

That Substitute House Bill No. 337 do pass.

That House Bill No. 226 do pass.

That House Bill No. 356 be amended as follows: Amend Section 3 by striking out in line 3, printed bill, the word "assessed" and inserting in lieu thereof the word "taxable" and as amended do pass.

That House Bill No. 418 do pass.

That House Bill No. 405 be amended as follows: Amend the title by striking out in line of the title, the word "and" and the Roman numeral "III", and by inserting in line 4 of the title, immediately after the word "appropriations", the words "collections and", and by striking out in lines 4 and 5 of the title the words "and disbursements".

Amend Section 1 by inserting in Section 1, line 18, immediately following the word "purposes", the words, "all money collected by the State department from counties".

Amend Section 2 by striking out Section 2 in its entirety and renumber subsequent sections accordingly.

And as amended do pass.

That House Bill No. 422 do pass.

That Substitute House Bill No. 252 do pass.

That House Bill No. 378 do pass.

That the enacting clause be stricken from House Bill No. 224.

O'CONNOR, Chairman.

It was moved by O'Connor, duly seconded, that the report of the Committee be adopted.

On substitute motion, it was moved by Longenecker, duly seconded, that House Bill No. 224 be segregated from the report.

A Call of the House was requested by the required number. On motion, duly seconded and carried, the Call of the House was dispensed with.

A roll call, to be entered in the Journal, was requested by the required number and motion to segregate House Bill No. 224 was lost by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Balgord, Berthot, Bjorneby, Brown, DeDobbeleer, D'Ewart, Findlater, Green, Hess, James, Kellogg, Kirscher, Laubach, Leuthold, Liggett, Long, Longenecker, Lowe, Lynch, Martin, McFatrige, McKenna, Moss (Flathead), Parker (Flathead), and Watson. Total 29.

Noes: Anderson (Cascade), Aronson, Baker, Beadle, Beck, Bower, Brower, Cannon, Cole (Petroleum), Cole (Prairie), Daniel, Dougherty, Duncan, Dunn, Ekern, Emswiler, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Hageman, Hoiness, Horrigan, Lehrkind, Lippard, Listug, Loughran, Malee, McCarthy, McClain, McGee, McLeod, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 65.

Absent and not voting: Acher, Byrne, Clark, Hammond, Lambert, Melin, Ryan. Total 7.

Passed their vote: Collins. Total 1.

It was moved by McLeod, duly seconded, that House Bill No. 378 be segregated from the report of the Committee of the Whole. Motion was lost. Whereupon report of the Committee of the Whole was adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Resolution No. 6, respectfully report as follows: That Senate Joint Resolution No. 6 be concurred in.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 23, respectfully report as follows: That House Bill No. 23 do not pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 22, respectfully report as follows: That House Bill No. 22 do not pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 380, respectfully report as follows: That House Bill No. 380 do not pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 219, respectfully report as follows: That House Bill No. 219 do not pass.

METLEN, Chairman.

It was moved by Metlen, duly seconded, that the report be adopted.

On substitute motion, it was moved by Spiegel, duly seconded and carried, that House Bill No. 219 be printed and placed on General Orders.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 229, respectfully report as follows: That House Bill No. 229 do not pass, but that Substitute House Bill No. 229: A Bill for an Act entitled: "An Act relating to the classification of certain property for taxation." Do pass.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: Nos. 287, 323, 357, 373 and 350.

RICE, Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Friday, February 17th, 1939, at 9:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

FORTY-SEVENTH DAY

House of Representatives,
Helena, Montana.
February 17, 1939.

House convened, pursuant to adjournment, at 9:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present, except the following, who were excused: Acher, Ryan.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Forty-Sixth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 333, respectfully report as follows: That House Bill No. 333 do not pass.

DOUGHERTY, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Lambert, duly seconded and carried, that House Bill No. 222 be taken from Third Reading and placed on General Orders.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 317 was passed by the following vote:

Ayes: Acton, Antrim, Armstrong, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Ekern, Findlater, Flynn, Freshman, Friedl, Gebhardt, Hammond, Hess, Hoiness, Kirscher, Lambert, Laubach, Liggett, Listug, Long, Longe-

necker, Loughran, Martin, McCarthy, McClain, McFatridge, McKenna, McLeod, Melin, Morrison, Moss, Custer, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Siegling, Smith, Spiegel, Stafford, Stevens, Stewart, Stromnes, Tyler, Vanderbeck, Watson, Wenger, Wilson, Zuck, Mr. Speaker. Total 62.

Noes: D'Ewart, Emswiler, Green, Hageman, Kellogg, Leuthold, Lowe, Miles, Newell, Potter, Scofield, Williams, Woods. Total 13.

Absent and not voting: Acher, Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Cannon, Clark, Cole (Petroleum), Duncan, Dunn, Goodwin, Horrigan, James, Lehrkind, Lippard, Lynch, Malee, McGee, Metlen, Moss (Flathead), Murray, Rice, Roehl, Ryan, Sorte, Sullivan. Total 27.

House Bill No. 162 was passed by the following vote:

Ayes: Acton, Armstrong, Aronson, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cole (Prairie), Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hoiness, Kellogg, Lambert, Laubach, Leuthold, Liggett, Listug, Loughran, Lowe, Lynch, Martin, McFatridge, McKenna, McLeod, Melin, Morrison, Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Smith, Spiegel, Stafford, Stevens, Stewart, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 62.

Noes: Anderson (Phillips), Antrim, Collins, Emswiler, Flynn, Hess, Kirscher, Long, McCarthy, McClain, Miles, Petersen, Scofield, Siegling, Stromnes, Tyler. Total 16.

Absent and not voting: Acher, Anderson (Cascade), Baker, Balgord, Cannon, Clark, Cole (Petroleum), Findlater, Goodwin, Horrigan, James, Lehrkind, Lippard, Longenecker, Malee, McGee, Metlen, Moss (Flathead), Murray, Roehl, Ryan, Sorte, Sullivan, Vanderbeck. Total 24.

Substitute House Bill No. 58 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Flynn, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hess, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Listug, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Parker (Flathead), Peterson, Potter, Reed, Rice, Scofield, Smith, Sorte, Spiegel, Stevens, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 72.

Noes: Long, Longenecker, O'Connor, Siegling, Stafford, Stewart, Stromnes, Tyler, Watson. Total 9.

Absent and not voting: Acher, Anderson (Cascade), Baker, Cannon, Clark, Cole (Petroleum), Findlater, Goodwin, Hoiness, Horrigan, James, Lehrkind, Lippard, Malee, McGee, Moss (Flathead), Murray, Roehl, Ryan, Sullivan, Vanderbeck. Total 21.

House Bill No. 291 was passed by the following vote:

Ayes: Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Flynn, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Laubach, Leuthold, Liggett, Listug,

Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 77.

Noes: Lambert, O'Connor. Total 2.

Absent and not voting: Acher, Anderson (Cascade), Baker, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Findlater, Goodwin, Horrigan, Lehrkind, Lippard, Malee, McGee, Moss (Flathead), Murray, Parker (Flathead), Ryan, Smith, Stromnes, Sullivan, Vanderbeck. Total 22.

Passed their vote: Acton. Total 1.

House Bill No. 264 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beck, Berthot, Bjorneby, Bower, Byrne, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Freshman, Friedl, Gebhardt, Goodwin, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Longenecker, Lowe, Lynch, McFatridge, Metlen, Morrison, Newell, O'Connor, Padbury, Parker (Flathead), Potter, Reed, Rice, Roehl, Stafford, Stevens, Stromnes, Tyler, Vanderbeck, Watson, Williams, Woods, Zuck, Mr. Speaker. Total 56.

Noes: Anderson (Cascade), Beadle, Brower, Brown, Daniel, Emswiler, Flynn, Green, Long, Loughran, Martin, McCarthy, McClain, McKenna, McLeod, Miles, Moss (Custer), Parker (Wibaux), Petersen, Scofield, Spiegel, Stewart, Wenger, Wilson. Total 24.

Absent and not voting: Acher, Baker, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Findlater, Horrigan, Lehrkind, Lippard, Listug, Malee, McGee, Melin, Moss (Flathead), Murray, Ryan, Siegling, Smith, Sorte, Sullivan. Total 22.

House Bill No. 293 was passed by the following vote:

Ayes: Acton, Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Cole (Petroleum), Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Longenecker, Loughran, McCarthy, McFatridge, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 73.

Noes: Beadle, Collins, Long, McClain. Total 4.

Absent and not voting: Acher, Anderson (Phillips), Balgord, Clark, Cole (Prairie), Dougherty, Findlater, Horrigan, James, Lehrkind, Lippard, Listug, Lowe, Lynch, Martin, McGee, Moss (Flathead), Murray, O'Connor, Parker (Flathead), Ryan, Stewart, Stromnes, Sullivan. Total 25.

House Joint Resolution No. 4 was passed by the following vote:

Ayes: Acton, Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Loughran, Lowe, McCarthy, McClain,

McKenna, McLeod, Miles, Morrison, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Stafford, Stewart, Vanderbeck, Wenger, Williams, Woods, Zuck, Mr. Speaker. Total 67.

Noes: Leuthold, Long, Longenecker, Martin, Melin, Newell, Sorte, Spiegel, Watson, Wilson. Total 10.

Absent and not voting: Acher, Anderson (Phillips), Cannon, Cole (Prairie), Dunn, Hoiness, Horrigan, Lehrkind, Lippard, Listug, Lynch, Malee, McFatridge, McGee, Metlen, Moss (Flathead), Moss (Custer), Murray, O'Connor, Padbury, Ryan, Stevens, Stromnes, Sullivan, Tyler. Total 25.

House Bill No. 237 was passed by the following vote:

Ayes: Acton, Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Collins, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Longenecker, Loughran, Lowe, Martin, McCarthy, McClain, McFatridge, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Newell, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 76.

Absent and not voting: Acher, Anderson (Phillips), Berthot, Bjorneby, Cannon, Cole (Prairie), Daniel, Dougherty, Findlater, Horrigan, Lehrkind, Lippard, Listug, Long, Lynch, Malee, McGee, Moss (Flathead), Murray, O'Connor, Padbury, Ryan, Smith, Stromnes, Sullivan, Watson. Total 26.

House Bill No. 211, being a constitutional amendment, and requiring a two-thirds majority of the entire membership of the House, failed to pass by the following vote:

Ayes: Acton, Anderson (Cascade), Armstrong, Aronson, Baker, Balgord, Berthot, Bjorneby, Bower, Brower, Byrne, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Dunn, Emswiler, Findlater, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Kellogg, Leuthold, Liggett, Listug, Longenecker, Loughran, Lowe, Lynch, McFatridge, McKenna, McLeod, Metlen, Miles, Morrison, Moss (Flathead), Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Stafford, Stevens, Tyler, Watson, Wenger, Williams, Wilson, Woods, Mr. Speaker. Total 65.

Noes: Antrim, Beadle, Beck, Brown, Clark, Daniel, Duncan, Ekern, Flynn, Friedl, James, Kirscher, Lambert, Laubach, Long, Martin, McCarthy, McClain, Melin, Moss (Custer), Spiegel, Vanderbeck, Zuck. Total 23.

Absent and not voting: Acher, Anderson (Phillips), Cannon, Horrigan, Lehrkind, Lippard, Malee, McGee, Murray, O'Connor, Ryan, Stewart, Stromnes, Sullivan. Total 14.

House Bill No. 403 was passed by the following vote:

Ayes: Acton, Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bower, Brower, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Laubach, Leuthold, Liggett, Listug, Long, Loughran, Lowe, Martin, McCarthy, McClain, McFatridge, McKenna, Melin, Metlen, Miles, Moss (Flathead), Moss (Custer),

Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Tyler, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 76.

Noes: Bjerneby, Brown, Lambert. Total 3.

Absent and not voting: Acher, Anderson (Phillips), Byrne, Cannon, Cole (Prairie), Ekern, Hageman, Horrigan, Lehrkind, Lippard, Longenecker, Lynch, Malee, McGee, McLeod, Morrison, Murray, O'Connor, Ryan, Stromnes, Sullivan, Vanderbeck, Woods. Total 23.

House Bill No. 360 was passed by the following vote:

Ayes: Acton, Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Laubach, Leuthold, Liggett, Listug, Loughran, Lowe, Lynch, McCarthy, McClain, McFatrige, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer), Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Tyler, Wenger, Williams, Wilson, Mr. Speaker. Total 77.

Noes: Duncan, Long, Martin, Watson, Zuck. Total 5.

Absent and not voting: Acher, Anderson (Phillips), Cannon, Cole (Prairie), Ekern, Horrigan, Lambert, Lehrkind, Lippard, Longenecker, Malee, McGee, Murray, O'Connor, Ryan, Stromnes, Sullivan, Vanderbeck, Woods. Total 19.

Passed their vote: Baker. Total 1.

House Bill No. 351 was passed by the following vote:

Ayes: Acton, Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Clark, Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Laubach, Liggett, Listug, Long, Loughran, Lowe, Martin, McCarthy, McClain, McFatrige, McKenna, Melin, Metlen, Miles, Moss (Flathead), Moss (Custer), Newell, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 79.

Noes: Spiegel. Total 1.

Absent and not voting: Acher, Anderson (Phillips), Cannon, Cole (Petroleum), Horrigan, Lambert, Lehrkind, Leuthold, Lippard, Longenecker, Lynch, Malee, McLeod, Morrison, Murray, O'Connor, Padbury, Ryan, Stromnes, Sullivan, Woods. Total 22.

House Bill No. 381 was passed by the following vote:

Ayes: Acton, Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hess, James, Kellogg, Kirscher, Laubach, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, Mc-

Carthy, McClain, McFatrige, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 79.

Absent and not voting: Acher, Anderson (Phillips), Anderson (Cascade), Byrne, Cole (Prairie), Dunn, Goodwin, Hoiness, Horrigan, Lambert, Lehrkind, Lippard, Malee, McGee, Moss (Flathead), Moss (Custer), Murray, O'Connor, Ryan, Stewart, Stromnes, Sullivan, Tyler. Total 23.

Senate amendments to House Bill No. 114 were concurred in by the following vote:

Ayes: Acton, Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Listug, Long, Longenecker, Loughran, Lynch, Martin, McCarthy, McClain, McFatrige, McKenna, McLeod, Melin, Miles, Moss (Custer), Newell, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Roehl, Scofield, Smith, Spiegel, Stafford, Stevens, Stewart, Stromnes, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 79.

Absent and not voting: Acher, Anderson (Phillips), Anderson (Cascade), Cannon, Goodwin, Horrigan, Lehrkind, Leuthold, Lippard, Lowe, Malee, McGee, Metlen, Morrison, Moss (Flathead), Murray, O'Connor, Petersen, Ryan, Siegling, Sorte, Sullivan, Woods. Total 23.

House Bill No. 288 was passed by the following vote:

Ayes: Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Byrne, Cole (Petroleum), Daniel, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Green, Kellogg, Listug, Loughran, Lynch, Martin, McCarthy, McClain, Miles, Morrison, O'Connor, Parker (Wibaux), Potter, Reed, Roehl, Scofield, Siegling, Stafford, Stevens, Stewart, Stromnes, Tyler, Vanderbeck, Wenger, Williams, Zuck, Mr. Speaker. Total 51.

Noes: Brower, Clark, Collins, Hammond, Hess, Hoiness, James, Kirscher, Laubach, Liggett, Longenecker, Lowe, McFatrige, McKenna, McLeod, Newell, Parker (Flathead), Petersen, Rice, Smith, Spiegel, Wilson, Woods. Total 23.

Absent and not voting: Acher, Anderson (Cascade), Balgord, Cannon, Cole (Prairie), DeDobbeleer, Ekern, Goodwin, Hageman, Horrigan, Lambert, Lehrkind, Leuthold, Lippard, Long, Malee, McGee, Metlen, Moss, (Flathead), Moss (Custer), Murray, Padbury, Ryan, Sorte, Sullivan, Watson. Total 26.

Passed their vote: Acton, Melin. Total 2.

House Bill No. 36 was passed by the following vote:

Ayes: Armstrong, Aronson, Baker, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Dunn, Findlater, Freshman, Friedl, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Laubach, Liggett, Longenecker, Loughran, Lowe, McCarthy, McFatrige, McLeod, Morrison, Newell, O'Connor, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Wenger, Williams, Wilson, Woods, Zuck. Total 59.

Noes: Acton, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Ekern, Emswiler, Flynn, Long, Lynch, Martin, McClain, McKenna, Melin, Miles, Stromnes, Mr. Speaker. Total 19.

Absent and not voting: Acher, Anderson (Phillips), Anderson (Cascade), Antrim, Balgord, Cannon, Cole (Prairie), Dougherty, Goodwin, Horrigan, Lambert, Lehrkind, Leuthold, Lippard, Malee, McGee, Metlen, Moss (Flathead), Moss (Custer), Murray, Padbury, Ryan, Sullivan, Watson. Total 24.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

O'Connor in the Chair. Committee arose with leave to sit again.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That Substitute House Bill No. 86 be amended as follows: Amend the title by adding in line 3 after the word "Commission" the word "Manager".

Amend Section 1 by adding the word "Manager" after the word "Commission" in line 11; and as amended do pass.

That House Bill No. 111 do pass.

That House Bill No. 133 be amended as follows: Amend Section 2, Subsection B, by inserting in line 15, Page 3, immediately following the word "shall", the following: "As far as consistent with the principles of the merit system";

Amend Section 3 by adding at the end of Section 3 the following: "If and when the Federal Social Security Act is amended to define a "Ward Indian", such definition shall supersede the foregoing definition";

That a new Section, to be numbered Section 19 be inserted, to read as follows: "Section 19. That Subsection (e) of Section IV of Part VI of the Public Welfare Act be and is hereby amended to read as follows: "Make provision for establishing and strengthening child welfare services, including protective services and for care of children in family foster homes. When funds are available for that purpose, the Child Welfare Division shall have the right to make agreements for the payment of compensation for keeping children in family foster homes subject to the approval of the State Department"; and renumber the subsequent sections accordingly; and as amended, do pass.

O'CONNOR, Chairman.

Report adopted.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

O'Connor in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bills Nos. 144, 157, 158 and 377 do pass.

That House Bill No. 319 be amended as follows: Amend Section 1, line 10, by striking the figures "\$25,000.00 and inserting in lieu thereof the figures "\$15,000.00";

Amend Section 2, line 5 by striking the figures "\$25,000.00" and inserting in lieu thereof the figures "\$15,000.00"; and as amended do pass.

That House Bills Nos. 385 and 331 do pass.

O'CONNOR, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred Substitute House Bills Nos. 353, 327 and 251, beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bills Nos. 385, 157 and 158, beg leave to recommend that the same be considered correctly engrossed.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: Nos. 226, 356, 378, 405, 418 and 422.

RICE, Chairman.

Report adopted.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 323 failed to pass by the following vote:

Ayes: Acton, Anderson (Phillips), Baker, Balgord, Beadle, Berthot, Bjerneby, Bower, Cannon, Collins, Dunn, Emswiler, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Hageman, Kirscher, Lambert, Listug, Long, Longenecker, Loughran, Lowe, Lynch, McCarthy, McClain, McGee, McLeod, Morrison, Newell, Reed, Rice, Smith, Sullivan, Vanderbeck, Williams, Wilson, Woods. Total 40.

Noes: Aronson, Beck, Brower, Brown, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Daniel, DeDobbeleer, D'Ewart, Duncan, Findlater, Green, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Laubach, Lehrkind, Liggett, Lippard, Martin, McFatrige, McKenna, Melin, Miles, Moss (Flathead), O'Connor, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Tyler, Watson, Wenger, Zuck, Mr. Speaker. Total 49.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Armstrong, Dougherty, Ekern, Leuthold, Malee, Metlen, Moss (Custer), Murray, Padbury, Ryan. Total 13.

House Bill No. 350 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, Horrigan,

James, Kellogg, Kirscher, Laubach, Lehrkind, Liggett, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, Melin, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer), Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Brower, Mr. Speaker. Total 84.

Noes: Lambert, Long, Stromnes, Sullivan. Total 4.

Absent and not voting: Acher, Antrim, Armstrong, Dougherty, Leuthold, Malee, McLeod, Murray, O'Connor, Parker (Flathead), Ryan, Smith, Tyler. Total 13.

Passed their vote: Hammond. Total 1.

House Bill No. 373 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lehrkind, Liggett, Lippard, Listug, Long, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatrige, McKenna, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Vanderbeck, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 79.

Noes: Ekern, Hammond, Lambert, Longenecker, McGee, Watson. Total 6.

Absent and not voting: Acher, Antrim, Armstrong, Brower, Collins, Dougherty, Laubach, Leuthold, Malee, McLeod, Metlen, Murray, O'Connor, Reed, Ryan, Tyler, Woods. Total 17.

House Bill No. 287 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Loughran, Lynch, Martin, McCarthy, McClain, McFatrige, McGee, McLeod, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Newell, O'Connor, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Zuck, McKenna, Mr. Speaker. Total 85.

Noes: Long, Longenecker. Total 2.

Absent and not voting: Acher, Antrim, Armstrong, Byrne, Dougherty, Ekern, Leuthold, Lowe, Malee, Metlen, Murray, Padbury, Ryan, Vanderbeck, Woods. Total 15.

House Bill No. 357 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Daniel, DeDobbeleer, D'Ewart, Duncan,

Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Newell, O'Connor, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 87.

Noes: Stromnes. Total 1.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Armstrong, Collins, Dougherty, Hoiness, Leuthold, Malee, Metlen, Murray, Padbury, Ryan, Smith. Total 14.

House Bill No. 157 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Newell, O'Connor, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Watson, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 84.

Absent and not voting: Acher, Antrim, Armstrong, Berthot, Cole (Petroleum), Daniel, Dougherty, Lambert, Leuthold, Malee, Metlen, Moss, (Flathead), Murray, Padbury, Ryan, Stromnes, Vanderbeck, Wenger. Total 18.

House Bill No. 158 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Bjerneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Newell, O'Connor, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 86.

Absent and not voting: Acher, Antrim, Armstrong, Berthot, Byrne, Dougherty, Hammond, Leuthold, Malee, McFatridge, Metlen, Murray, Padbury, Ryan, Stromnes, Vanderbeck. Total 16.

House Bill No. 385 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brown, Byrne, Cannon, Clark, Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dunn, Ekern, Emswiler, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Miles,

Morrison, Moss (Flathead), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 82.

Noes: Duncan, Flynn, Longenecker, Watson. Total 4.

Absent and not voting: Acher, Antrim, Armstrong, Brower, Cole (Petroleum), Dougherty, Findlater, Hammond, Hoiness, Leuthold, McFatridge, Metlen, Moss (Custer), Ryan, Smith, Vanderbeck. Total 16.

House Bill No. 226 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Loughran, Malee, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Stewart, Mr. Speaker. Total 87.

Noes: Longenecker. Total 1.

Absent and not voting: Acher, Antrim, Armstrong, Dougherty, Flynn, Hammond, Leuthold, Lowe, Lynch, McFatridge, Metlen, Petersen, Ryan, Smith. Total 14.

House Bill No. 356 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Duncan, Dunn, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McKenna, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 85.

Noes: Long, McGee, Stromnes. Total 3.

Absent and not voting: Acher, Antrim, Armstrong, D'Ewart, Dougherty, Ekern, Flynn, Hammond, Leuthold, McFatridge, McLeod, Metlen, Ryan, Smith. Total 14.

House Bill No. 378 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Aronson, Baker, Berthot, Bjorneby, Bower, Byrne, Cole (Prairie), Collins, D'Ewart, Duncan, Dunn, Emswiler, Findlater, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, Kirscher, Lambert, Laubach, Lehrkind, Lippard, Listug, Lynch, Morrison, O'Connor, Padbury, Parker (Flathead), Roehl, Smith, Sorte, Stafford, Stevens, Stromnes, Vanderbeck, Wenger, Williams, Wilson, Woods, Mr. Speaker. Total 46.

Noes: Anderson (Cascade), Balgord, Beadle, Beck, Brower, Brown, Cannon, Clark, Cole (Petroleum), Daniel, DeDobbeleer, Flynn, Friedl, Hess, James, Kellogg, Liggett, Long, Loughran, Lowe, Malee, Martin, McClain,

McGee, McKenna, McLeod, Melin, Miles, Moss (Custer), Murray, Newell, Parker (Wibaux), Petersen, Potter, Reed, Rice, Scofield, Siegling, Spiegel, Stewart, Sullivan, Tyler, Watson, Zuck. Total 44.

Absent and not voting: Acher, Antrim, Armstrong, Dougherty, Ekern, Leuthold, Longenecker, McCarthy, McFatridge, Metlen, Moss (Flathead), Ryan. Total 12.

House Bill No. 405 was passed by the following vote:

Ayes: Acton, Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Kirscher, Laubach, Lehrkind, Liggett, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, Malee, McCarthy, McFatridge, McGee, McKenna, McLeod, Melin, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stromnes, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 81.

Noes: Friedl, Hess, Lambert, McClain. Total 4.

Absent and not voting: Acher, Anderson (Phillips), Antrim, Armstrong, Cannon, Dougherty, Dunn, Ekern, Leuthold, Long, Martin, Metlen, Miles, O'Connor, Ryan, Stewart, Sullivan. Total 17.

House Bill No. 418 was passed by the following vote:

Ayes: Anderson (Phillips), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Smith, Sorte, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 84.

Absent and not voting: Acher, Acton, Anderson (Cascade), Antrim, Armstrong, Cannon, Dougherty, Gebhardt, Lehrkind, Leuthold, Metlen, O'Connor, Ryan, Siegling, Spiegel, Stromnes, Sullivan, Woods. Total 18.

House Bill No. 422 was passed by the following vote:

Ayes: Anderson (Phillips), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McClain, McFatridge, McKenna, McLeod, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Spiegel, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 81.

Noes: McGee. Total 1.

Absent and not voting: Acher, Acton, Anderson (Cascade), Antrim, Armstrong, Cannon, Dougherty, Hoiness, Horrigan, Lehrkind, Leuthold,

McCarthy, Metlen, O'Connor, Ryan, Smith, Sorte, Stromnes, Sullivan, Woods. Total 20.

MOTIONS AND RESOLUTIONS

It was moved by Morrison, duly seconded, that the House reconsider its action on House Bill No. 284. Motion was lost.

It was moved by Stromnes, duly seconded and carried, that the House reconsider its action on House Bill No. 211.

THIRD READING

House Bill No. 211, being a Constitutional Amendment requiring a two-thirds majority of the whole House, was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Berthot, Bjerneby, Brower, Byrne, Cole (Petroleum), Cole (Prairie), Collins, Dougherty, Dunn, Emswiler, Findlater, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Kellogg, Lehrkind, Leuthold, Liggett, Lippard, Listug, Longnecker, Loughran, Lowe, Lynch, Malee, McFatridge, McGee, McKenna, McLeod, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker, (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Mr. Speaker. Total 71.

Noes: Anderson (Cascade), Beadle, Beck, Bower, Brown, Clark, Daniel, DeDobbeleer, Duncan, Ekern, Flynn, Friedl, Hess, Horrigan, James, Kirscher, Lambert, Laubach, Long, Martin, McCarthy, McClain, Melin, Spiegel, Zuck. Total 25.

Absent and not voting: Acher, Cannon, D'Ewart, Metlen, Ryan, Woods. Total 6.

It was moved by McLeod, duly seconded and carried, that the House recess until 1:15 P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

O'Connor in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 183 be amended as follows: Amend title in lines 3 and 9 by inserting the word "taxable" before the word "valuation";

Amend Section 1 in lines 3 and 7 by inserting the word "taxable" before the word "valuation";

And as amended do pass.

That Substitute House Bill No. 375 do pass.

That House Bills Nos. 387, 358, 228, 400, 402 do pass.

That the enacting clause be stricken from House Bill No. 222.

O'CONNOR, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: Nos. 319, 331, 337 and 111.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bills Nos. 377, 375, 228, 358, 387 and 402, beg leave to recommend that the same be considered correctly engrossed.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 180, beg leave to report as follows: That House Bill No. 180 was referred to us at a late hour on February 15 from the Committee on Public Health, and no convenient time was available on that date for convening a meeting of the Judiciary Committee to consider the same, a meeting, however, of said committee was held on the morning of February 16, at which time a sub-committee was appointed to consider said bill and the report submitted to this House, on motion adopted, was that we would try to get the bill out in time for it to be acted upon, bearing in mind that the same entailed a comprehensive study of about 217 Sections of the Revised Codes of Montana of 1935 and the obvious necessity of coordinating about five typewritten pages of proposed amendments in the bill as referred to us; your committee having considered the said House Bill and the said proposed amendments, and having reached the conclusion that to prepare any workable act whatsoever would necessitate the redrafting of an entire new act or substitute bill;

Meanwhile the Committee having ascertained that no law clerks are available for aid and assistance thereon, that the time of the law clerks is entirely consumed at the present time in coordinating and reconciling important revenue measures before this House, and it further appears that the question involved in the Act, to-wit: The extent, if at all, that silicosis should be made a compensable disease within the meaning of the Workmen's Compensation Act of the State of Montana, is an open and controversial one at the present time;

And it having been made to appear to the Committee that the Silicosis Commission appointed, pursuant to authority of Joint Resolution No. 6 of the 1937 Legislative Assembly, did, after hearings had and consideration given, report to the Governor under date of January 6, 1939, in part as follows: "that until a thorough study of occupational diseases in this state is made, a real method of compensating the victims of these diseases cannot be formulated."

And Whereas, the deadline on the transmission of House Bills to the Senate will fall at midnight on this day and all of the members of this committee are personally interested in and concerned with many measures both on General Orders and Third Reading being acted upon by this House, therefore in justice to their own legislative interests are unable to devote their entire time to a consideration and redrafting of this bill; and even if such were reasonably possible the limited time available does not permit this committee to do in a period of forty-eight hours or less what your Silicosis Commission and proponents of this bill have been unable to do, or in any event have not done, in a period of two years; respectfully report as follows:

That House Bill No. 180 do not pass.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 219, 406, 425, 426, 266, 396, 62, Substitute 229, report that the same have been correctly printed.

BECK, Chairman.

Report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker: This is to advise that the Governor has this day approved: House Bill No. 125 by Wenger and the same has been filed with the Secretary of State and a copy thereof with the Clerk of the Supreme Court.

Respectfully yours,

JOHN J. JEWELL,
Secretary to the Governor.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 421 having been read three several times, and concurred in as amended, is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 377 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Baker, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Clark, Cole (Petroleum), Collins, Daniel, D'Ewart, Duncan, Dunn, Ekern, Flynn, Freshman, Friedl, Goodwin, Hageman, Hess, Hoiness, Kirscher, Lambert, Lehrkind, Lippard, Listug, Long, Longenecker, Loughran, Martin, McCarthy, McClain, McKenna, McLeod, Morrison, Moss (Custer), Murray, O'Connor, Padbury, Parker (Flathead), Reed, Rice, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Watson, Wenger, Williams, Woods, Zuck, Mr. Speaker. Total 61.

Noes: Aronson, Balgord, Brower, Emswiler, Findlater, Gebhardt, Green, Hammond, Horrigan, Kellogg, Leuthold, Liggett, Lowe, Lynch, McPatridge, Parker (Wibaux), Petersen, Potter, Roehl, Wilson. Total 20.

Absent and not voting: Acher, Byrne, Cannon, Cole (Prairie), DeDobbeleer, Dougherty, James, Laubach, Malee, McGee, Melin, Metlen, Miles, Moss (Flathead), Newell, Ryan, Scofield, Siegling, Smith, Stromnes, Vanderbeck. Total 21.

House Bill No. 331 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cole (Petroleum), Collins, DeDobbeleer, D'Ewart,

Dougherty, Duncan, Ekern, Emswiler, Findlater, Flynn, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, Kellogg, Kirscher, Lambert, Lehrkind, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Morrison, Murray, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Scofield, Stafford, Stevens, Stewart, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 77.

Noes: Balgord, Clark, Miles. Total 3.

Absent and not voting: Acher, Cannon, Cole (Prairie), Daniel, Dunn, Freshman, James, Laubach, Leuthold, Malee, Metlen, Moss (Flathead), Moss (Custer), Newell, Parker (Flathead), Ryan, Siegling, Smith, Sorte, Spiegel, Stromnes, Vanderbeck. Total 22.

House Bill No. 319 was passed by the following vote:

Ayes: Anderson (Cascade), Armstrong, Baker, Beadle, Bjerneby, Bower, Brown, Cannon, Cole (Petroleum), Collins, D'Ewart, Emswiler, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, James, Kellogg, Lambert, Liggett, Lippard, Listug, Longenecker, Loughran, Lowe, Malee, McClain, McFatridge, Morrison, Moss (Flathead), Murray, Newell, O'Connor, Padbury, Potter, Reed, Rice, Roehl, Siegling, Smith, Sorte, Stafford, Stevens, Stromnes, Sullivan, Vanderbeck, Watson, Wenger, Williams, Mr. Speaker. Total 54.

Noes: Acton, Anderson (Phillips), Antrim, Balgord, Beck, Berthot, Brower, Byrne, Clark, Daniel, DeDobbeleer, Dougherty, Duncan, Ekern, Findlater, Flynn, Hess, Horrigan, Lehrkind, Long, Lynch, Martin, McCarthy, McGee, McKenna, McLeod, Melin, Miles, Parker (Wibaux), Peterson, Scofield, Spiegel, Stewart, Tyler, Wilson, Woods, Zuck. Total 37.

Absent and not voting: Acher, Aronson, Cole (Prairie), Dunn, Kirscher, Laubach, Leuthold, Metlen, Moss (Custer), Parker (Flathead), Ryan. Total 11.

House Bill No. 337 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Collins, Daniel, DeDobbeleer, D'Ewart, Ekern, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Hageman, James, Kirscher, Lehrkind, Leuthold, Liggett, Lippard, Listug, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McLeod, Melin, Morrison, Moss (Flathead), Murray, Potter, Reed, Roehl, Scofield, Siegling, Stafford, Stevens, Stewart, Sullivan, Vanderbeck, Wenger, Woods, Zuck, Mr. Speaker. Total 63.

Noes: Cole (Petroleum), Dougherty, Duncan, Dunn, Flynn, Goodwin, Green, Hammond, Hess, Hoiness, Kellogg, Lambert, Longenecker, McKenna, Padbury, Parker (Wibaux), Peterson, Rice, Spiegel, Tyler, Watson, Williams, Wilson. Total 23.

Absent and not voting: Acher, Baker, Cole (Prairie), Horrigan, Laubach, Long, Metlen, Miles, Moss (Custer), Newell, O'Connor, Parker (Flathead), Ryan, Smith, Sorte, Stromnes. Total 16.

House Bill No. 111 was passed by the following vote:

Ayes: Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Beck, Berthot, Bjerneby, Bower, Byrne, Clark, Cole (Petroleum), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Findlater, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kel-

logg, Kirscher, Laubach, Lehrkind, Leuthold, Liggett, Longenecker, Lowe, Lynch, Martin, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Scofield, Stafford, Stevens, Stewart, Vanderback, Watson, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 66.

Noes: Anderson (Cascade), Balgord, Beadle, Brower, Brown, Cannon, Daniel, Flynn, Freshman, Friedl, Goodwin, Lambert, Listug, Long, Loughran, Malee, McCarthy, Murray, Sullivan, Tyler, Wenger. Total 21.

Absent and not voting: Acher, Cole (Prairie), Emswiler, Lippard, Metlen, Moss (Flathead), Moss (Custer), Parker (Flathead), Ryan, Siegling, Smith, Sorte, Spiegel, Stromnes. Total 14.

Passed their vote: Acton. Total 1.

House Bill No. 375 failed to pass by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Aronson, Baker, Berthot, Bjorneby, Canon, Cole (Petroleum), Collins, D'Ewart, Dougherty, Emswiler, Findlater, Goodwin, Hageman, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Listug, Lowe, McKenna, Morrison, Parker (Wibaux), Potter, Rice, Williams, Mr. Speaker. Total 32.

Noes: Anderson (Cascade), Armstrong, Balgord, Beadle, Beck, Bower, Brower, Brown, Byrne, Clark, Daniel, DeDobbeleer, Duncan, Dunn, Ekern, Flynn, Friedl, Gebhardt, Green, Hammond, Hess, Long, Longenecker, Loughran, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McLeod, Melin, Miles, Moss (Flathead), Murray, Newell, O'Connor, Padbury, Parker (Flathead), Petersen, Reed, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Wilson, Woods, Zuck. Total 57.

Absent and not voting: Acher, Cole (Prairie), Freshman, Hoiness, Horrigan, Lehrkind, Lippard, Malee, Metlen, Moss (Custer), Ryan, Stewart. Total 13.

House Bill No. 228 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Byrne, Clark, DeDobbeleer, D'Ewart, Dougherty, Dunn, Emswiler, Findlater, Flynn, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McClain, McFatridge, McKenna, McLeod, Melin, Metlen, Miles, Murray, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Smith, Stafford, Stevens, Stewart, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 74.

Noes: Baker, Brower, Cole (Petroleum), Collins, Daniel, Duncan, McGee, Moss (Custer), O'Connor, Padbury, Scofield, Siegling, Spiegel, Sullivan, Tyler. Total 15.

Absent and not voting: Acher, Anderson (Cascade), Cannon, Cole (Prairie), Ekern, Freshman, Friedl, Horrigan, McCarthy, Morrison, Moss (Flathead), Newell, Sorte, Stromnes. Total 14.

House Bill No. 358 was passed by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Beck, Berthot, Bjorneby, Bower, Brown, Byrne, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Ekern, Findlater, Friedl, Gebhardt, Goodwin, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach,

Lehrkind, Leuthold, Liggett, Lippard, Listug, Loughran, Lowe, Lynch, Martin, McFatrige, McKenna, McLeod, Morrison, Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Stafford, Stevens, Stewart, Strommes, Tyler, Vanderbeck, Watson, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 75.

Noes: Balgord, Beadle, Brower, Duncan, Flynn, Long, McClain, McGee, Melin, Murray, Rice, Spiegel, Sullivan, Wenger. Total 14.

Absent and not voting: Acher, Acton, Cannon, Cole (Prairie), Emswiler, Freshman, Green, Longenecker, Malee, McCarthy, Metlen, Miles, Moss (Flathead). Total 13.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Moss of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Amendments to House Bill No. 421 be concurred in.

That House Bill No. 372 be amended as follows: Amend by striking out all amendments of the Committee on Social Security;

Strike out in Section 1 all of sub-section (c) being lines 22, 23, 24, 25, 26, Page 1 of the original bill, and relettering sub-section (d) as sub-section (c);

Strike out in Section 1, page 4, line 17, original bill, the words "not be paid until after he ceases to be such inmate", and inserting in lieu thereof, "be paid to his dependents, if any, until he ceases to be such an inmate";

Insert in Section 1, on page 5, line 22, original bill, immediately following the first word "payments", the words "in addition to grants made by this Act", and by inserting in line 23, page 5, original bill, after the word "month" the words "exclusive of any grants made by Congress."

Strike out in line 23, page 4, Section 1, original bill immediately following the word "of" the words "the circumstances of the applicant" and inserting in lieu thereof the words "the validity of the claim".

And as amended, do pass.

That the enacting clause be stricken from House Bill No. 342, and from Substitute House Bill No. 229.

It was moved by Moss of Flathead, duly seconded, that the report of the committee be adopted. On substitute motion, it was moved by McGee, duly seconded, that House Bill No. 342 be segregated from the report. A roll call was requested by the required number and motion was lost. Whereupon motion to adopt report of the Committee of the Whole carried.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: Substitute House Bill No. 252.

RICE, Chairman.

Report adopted.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows; all appropriation measures having been read at length:

Senate amendments to House Bill No. 421 were concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Armstrong, Aronson, Baker, Balgord, Beadle, Berthot, Bjorneby, Bower, Brower, Byrne, Clarke, Cole (Petroleum), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Emswiler, Findlater, Flynn, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, Kellogg, Kirscher, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Flathead), Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Stafford, Stevens, Stewart, Stromnes, Tyler, Vanderbeck, Watson, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 74.

Noes: McFatrige, Murray, Petersen. Total 3.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Beck, Brown, Cannon, Cole (Prairie), Daniel, Dunn, Ekern, Freshman, Hammond, Horrigan, James, Lambert, Laubach, Malee, Metlen, Moss (Custer), Newell, O'Connor, Ryan, Spiegel, Sullivan, Wenger. Total 25.

House Bill No. 387 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Beadle, Beck, Berthot, Brown, Clark, D'Ewart, Dougherty, Dunn, Emswiler, Findlater, Flynn, Friedl, Green, Hageman, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Long, Longenecker, Lowe, McClain, McGee, McKenna, Miles, Morrison, Moss (Flathead), Moss (Custer), Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Smith, Sorte, Stewart, Tyler, Vanderbeck, Watson, Woods, Mr. Speaker. Total 55.

Noes: Anderson (Cascade), Balgord, Bjorneby, Brower, Cannon, Collins, Duncan, Gebhardt, Hammond, Leuthold, Liggett, Lippard, Listug, Loughran, Martin, McCarthy, McFatrige, McLeod, Murray, Siegling, Spiegel, Stafford, Stevens, Stromnes, Wenger, Williams, Wilson, Zuck. Total 28.

Absent and not voting: Acher, Bower, Byrne, Cole (Petroleum), Cole (Prairie), Daniel, DeDobbeleer, Ekern, Freshman, Goodwin, Lehrkind, Lynch, Malee, Melin, Metlen, Newell, O'Connor, Ryan, Sullivan. Total 19.

House Bill No. 402 was passed by the following vote:

Ayes: Acton, Anderson (Cascade), Antrim, Armstrong, Baker, Beadle, Beck, Berthot, Bjorneby, Brower, Brown, Cole (Petroleum), Collins, DeDobbeleer, D'Ewart, Dougherty, Dunn, Ekern, Emswiler, Findlater, Flynn, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, Leuthold, Liggett, Lippard, Long, Longenecker, Loughran, Lowe, Lynch, McCarthy, McClain, McFatrige, McKenna, McLeod, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Siegling, Smith, Stafford, Stevens, Stewart, Vanderbeck, Watson, Wenger, Wilson, Zuck, Mr. Speaker. Total 67.

Noes: Aronson, Balgord, Duncan, Kellogg, Kirscher, Lambert, Laubach, McGee, Spiegel, Sullivan. Total 10.

Absent and not voting: Acher, Anderson (Phillips), Bower, Byrne, Cannon, Clark, Cole (Prairie), Daniel, Freshman, James, Lehrkind, Listug, Malee, Martin, Melin, Metlen, Newell, Roehl, Ryan, Scofield, Sorte, Stromnes, Tyler, Williams, Woods. Total 25.

Substitute House Bill No. 252 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Clark, Collins, De-

Dobbeleer, Dougherty, Ekern, Findlater, Gebhardt, Goodwin, Hageman, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Listug, Long, Loughran, Lowe, Martin, McCarthy, McClain, McFatridge, McGee, Miles, Morrison, Moss (Custer), Murray, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Tyler, Vanderbeck, Wenger, Wilson, Woods, Zuck. Mr. Speaker. Total 68.

Noes: Brower, Byrne, Cole (Petroleum), D'Ewart, Duncan, Dunn, Emswiler, Green, Hammond, Lippard, Longenecker, McKenna, Scofield, Watson. Total 14.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Cannon, Cole (Prairie), Daniel, Flynn, Freshman, Friedl, Leuthold, Lynch, Malee, McLeod, Melin, Metlen, Moss (Flathead), Newell, Scofield, Watson. Total 20.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Moss of Flathead in the Chair. Committee arose. House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That the enacting clause be stricken from House Bill No. 371.

That House Bill No. 266 do pass.

That House Bill No. 62 be amended as follows: Amend Section 1, line 6, printed bill by striking the word and figures "December, 1940" and insert in lieu thereof the word and figures "February, 1941";

Amend Section 6 by striking out all of Section 6 in its entirety; and as amended do pass.

That House Joint Memorial No. 18, House Joint Resolution No. 5, and House Joint Resolution No. 7 do pass.

That the enacting clause be stricken from House Bill No. 219.

That the enacting clause be stricken from House Bill No. 406.

That House Bill No. 425 do pass.

That the enacting clause be stricken from House Bill No. 396.

MOSS (Flathead) Chairman.

It was moved by Moss of Flathead, duly seconded, that the report of the committee of the Whole be adopted. On substitute motion, it was moved by Spiegel, duly seconded, that House Bill No. 219 be segregated from the report. A roll call, to be entered in the Journal was requested by the required number and motion was lost by the following vote:

Ayes: Beadle, Beck, Bjerneby, Brown, Cannon, DeDobbeleer, Friedl, Hess, James, Lambert, Long, Malee, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Metlen, Murray, Petersen, Reed, Rice, Siegling, Spiegel, Stevens, Stromnes, Sullivan, Tyler, Wenger, Zuck. Total 31.

Noes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Berthot, Bower, Brower, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, McFatridge, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Roehl, Scofield, Smith, Stewart, Vanderbeck, Watson, Williams, Wilson, Woods, Mr. Speaker. Total 63.

Absent and not voting: Acher, Daniel, Ekern, Horrigan, Ryan, Sorte, Stafford. Total 7.

Passed their vote: Flynn. Total 1.

Whereupon motion to adopt report of the committee of the Whole was carried.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 183.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bill No. 266 and Substitute House Bill No. 86 and House Joint Resolutions Nos. 5 and 7, beg leave to recommend that the same be considered correctly engrossed.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bill 421.

COLE (Prairie),

Vice-Chairman.

Report adopted.

I have examined House Bill No. 421 introduced by me and find the same to be correct.

DOUGHERTY.

The Speaker signed House Bill No. 421 in Open Session.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

House Bill No. 266 was passed by the following vote:

Ayes: Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Berthot, Bjorneby, Brower, Byrne, Clark, Cole (Petroleum), Dougherty, Dunn, Ekern, Emswiler, Findlater, Friedl, Goodwin, Hageman, Hammond, Hoiness, James, Kellogg, Kirscher, Laubach, Leuthold, Liggett, Lippard, Listug, Loughran, Lowe, McCarthy, McClain, McFatrige, McKenna, McLeod, Miles, Morrison, Moss (Flathead), Murray, O'Connor, Padbury, Parker (Flathead), Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Stevens, Stromnes, Watson, Wenger, Williams, Mr. Speaker. Total 57.

Noes: Acton, Beck, Bower, Brown, Duncan, Green, Hess, Lambert, Long, Martin, Melin, Moss (Custer), Parker (Wibaux), Petersen, Spiegel, Sullivan, Tyler, Vanderbeck, Wilson. Total 19.

Absent and not voting: Acher, Anderson (Cascade), Beadle, Cannon, Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Flynn, Freshman, Gebhardt, Horrigan, Lehrkind, Longenecker, Lynch, Malee, McGee, Metlen, Newell, Ryan, Sorte, Stafford, Stewart, Woods, Zuck. Total 26.

House Joint Resolution No. 5 was passed by the following vote:

Ayes: Anderson (Phillips), Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Brower, Brown, Byrne, Clark, Collins, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg,

Kirscher, Laubach, Leuthold, Liggett, Lippard, Listug, Long, Loughran, Lowe, Lynch, Martin, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Roehl, Scofield, Sorte, Spiegel, Stevens, Stewart, Stromnes, Tyler, Watson, Wenger, Williams, Wilson, Mr. Speaker. Total 69.

Absent and not voting: Acher, Acton, Anderson (Cascade), Antrim, Armstrong, Baker, Cannon, Cole (Petroleum), Cole (Prairie), Daniel D'Ewart, Freshman, Gebhardt, Horrigan, Lambert, Lehrkind, Longenecker, Malee, McCarthy, McClain, Metlen, Moss (Flathead), Murray, Newell, Petersen, Ryan, Siegling, Smith, Stafford, Sullivan, Vanderbeck, Woods, Zuck. Total 33.

House Joint Resolution No. 7 was passed by the following vote:

Ayes: Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Clarke, Cole, (Petroleum), Collins, DeDobbeleer, Duncan, Ekern, Emswiler, Findlater, Flynn, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Lippard, Long, Longenecker, Loughran, Lowe, Lynch, McCarthy, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), O'Connor, Padbury, Parker (Wibaux), Potter, Reed, Rice, Roehl, Scofield, Smith, Sorte, Spiegel, Stevens, Stewart, Watson, Wenger, Williams, Wilson, Woods, Mr. Speaker. Total 70.

Absent and not voting: Acher, Acton, Anderson (Cascade), Baker, Beadle, Cannon, Cole (Prairie), Daniel, D'Ewart, Dougherty, Dunn, Freshman, James, Lehrkind, Listug, Malee, Martin, McClain, Metlen, Moss (Flathead), Murray, Newell, Parker (Flathead), Petersen, Ryan, Siegling, Stafford, Stromnes, Sullivan, Tyler, Vanderbeck, Zuck. Total 32.

House Bill No. 183 was passed by the following vote:

Ayes: Anderson (Phillips), Antrim, Aronson, Balgord, Beck, Berthot, Bjerneby, Bower, Byrne, Cole (Petroleum), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Kellogg, Kirscher, Laubach, Lehrkind, Liggett, Long, Longenecker, Loughran, Lowe, Lynch, McClain, McKenna, McLeod, Miles, Morrison, Potter, Reed, Roehl, Scofield, Sorte, Spiegel, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 61.

Noes: Brower, Brown, Clark, Martin, McCarthy, McGee, Melin, Murray, Petersen, Rice. Total 10.

Absent and not voting: Acher, Acton, Anderson (Cascade), Armstrong, Baker, Beadle, Cannon, Cole (Prairie), Daniel, Friedl, Horrigan, James, Lambert, Leuthold, Lippard, Listug, Malee, McFatridge, Metlen, Moss (Flathead), Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Ryan, Siegling, Smith, Stafford, Stromnes. Total 31.

Substitute House Bill No. 86 was passed by the following vote:

Ayes: Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beck, Bjerneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Cole (Prairie), D'Ewart, Dunn, Ekern, Flynn, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Liggett, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McClain, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stevens, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Friedl, Mr. Speaker. Total 68.

Noes: Collins, Duncan, Findlater. Total 3.

Absent and not voting: Acher, Acton, Anderson (Cascade), Baker, Beadle, Berthot, Cannon, Daniel, DeDobbeleer, Dougherty, Emswiler, Freshman, Horrigan, Lambert, Lippard, Listug, Malee, McCarthy, McFatridge, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Flathead), Ryan, Smith, Stafford, Stromnes, Sullivan. Total 31.

It was moved by McLeod, duly seconded and carried, that the House recess until 7:00 o'clock P. M.

EVENING SESSION.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 62, 400, 372 and 425.

RICE, Chairman.

Report adopted.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 62 was passed by the following vote:

Ayes: Beadle, Beck, Bjorneby, Bower, Brower, Brown, Clark, DeDobbeleer, Ekern, Emswiler, Friedl, Goodwin, Hageman, Hess, James, Lambert, Leuthold, Liggett, Listug, Long, Longnecker, Loughran, Lynch, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Metlen, Miles, Moss (Flathead), Murray, Parker (Wibaux), Peterson, Reed, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Sullivan, Tyler, Watson, Wenger, Zuck, Mr. Speaker. Total 49.

Noes: Acton, Anderson (Phillips), Armstrong, Aronson, Baker, Balgord, Berthot, Byrne, Cole (Petroleum), Cole (Prairie), Collins, D'Ewart, Dougherty, Duncan, Dunn, Findlater, Flynn, Gebhardt, Green, Hammond, Hoiness, Kellogg, Laubach, Lehrkind, Lowe, McFatridge, Morrison, O'Connor, Padbury, Potter, Rice, Roehl, Smith, Stewart, Stromnes, Vanderbeck, Williams, Wilson, Woods. Total 39.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Cannon, Daniel, Freshman, Horrigan, Kirscher, Lippard, Malee, Moss (Custer), Newell, Parker (Flathead), Ryan. Total 14.

House Bill No. 400 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Dunn, Ekern, Emswiler, Findlater, Flynn, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Lehrkind, Leuthold, Liggett, Listug, Longenecker, Lowe, Lynch, Martin, McCarthy, McFatridge, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Murray, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Spiegel, Stafford, Stevens, Stewart, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 76.

Noes: Duncan, Lambert, Long, Loughran, McClain, McGee, Sorte, Sullivan, Tyler. Total 9.

Absent and not voting: Acher, Baker, Cannon, Cole (Petroleum), Daniel, Freshman, Friedl, Horrigan, Kirscher, Laubach, Lippard, Malee, Moss (Custer), Newell, O'Connor, Ryan, Stromnes. Total 17.

House Bill No. 372 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Findlater, Flynn, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, James, Kellogg, Lambert, Laubach, Lehrkind, Leuthold, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Murray, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Hammond, Mr. Speaker. Total 84.

Noes: Emswiler. Total 1.

Absent and not voting: Acher, Aronson, Cannon, Daniel, Freshman, Friedl, Horrigan, Kirscher, Liggett, Lippard, Malee, McClain, Moss (Custer), Newell, Roehl, Ryan, Stromnes. Total 17.

House Bill No. 425 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Flynn, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Lambert, Laubach, Lehrkind, Leuthold, Listug, Long, Longenecker, Loughran, Lowe, Lynch, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Murray, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 86.

Absent and not voting: Acher, Byrne, Cannon, Daniel, Findlater, Freshman, Horrigan, Kirscher, Liggett, Lippard, Malee, Martin, Moss (Custer), Newell, Ryan, Stromnes. Total 16.

It was moved by McLeod, duly seconded and carried, that House Bill No. 336 be placed on General Orders.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Moss of Flathead in the Chair. Committee arose with leave to sit again. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That the enacting clause be stricken from House Bill No. 336 and Substitute Bill No. 309.

That the enacting clause be stricken from House Bill No. 327.

MOSS (Flathead), Chairman.

It was moved by Moss of Flathead, duly seconded, that the report of the Committee be adopted. On substitute motion, it was moved by Stromnes, duly seconded, that House Bill No. 327 be segregated from the report. A call of the House was requested by the required number and after the clerk called the roll, on motion, Call of the House was dispensed with. Whereupon motion to segregate was lost by the following vote:

Ayes: Aronson, Beadle, Brower, Brown, Byrne, Cannon, Cole (Petroleum), D'Ewart, Dougherty, Emswiler, Freshman, Gebhardt, Goodwin, Hageman, Hoiness, Horrigan, Lehrkind, Listug, Long, Loughran, McCarthy, Metlen, Morrison, Moss (Custer), O'Connor, Padbury, Parker (Wibaux), Potter, Roehl, Siegling, Smith, Sorte, Stafford, Stewart, Stromnes, Sullivan, Tyler, Wenger. Total 38.

Noes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Baker, Balgord, Beck, Berthot, Bjorneby, Bower, Clark, Collins, DeDobbeleer, Duncan, Dunn, Ekern, Findlater, Friedl, Green, Hammond, Hess, James, Kellogg, Lambert, Laubach, Leuthold, Liggett, Lippard, Longenecker, Lowe, Lynch, Malee, Martin, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Miles, Murray, Newell, Parker (Flathead), Petersen, Reed, Rice, Scofield, Spiegel, Stevens, Vanderbeck, Watson, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 57.

Absent and not voting: Daniel, Ryan. Total 2.

Passed their vote: Flynn. Total 1.

Paired: Acher, Cole (Prairie), Kirscher, Moss (Flathead).

Whereupon report of the Committee of the Whole was adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker: This is to advise that the Governor has this day approved; House Bill No. 52 by Berthot, Dunn and Lehrkind, House Bill No. 85 by Affairs of Cities Committee, House Bill No. 46 by Committee on Revenue and Taxation, House Bill No. 45 by Committee on Revenue and Taxation, House Bill No. 27 by C. J. Williams, Substitute House Bill No. 51 by Committee on Townships and Counties and the same have been filed with the Secretary of State and copies thereof with the Clerk of the Supreme Court.

Respectfully yours,

JOHN J. JEWELL,

Secretary to the Governor.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 109 and Substitute House Bill No. 59, having this day failed in concurrence in the Senate, are herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bills Nos. 42, 183, 72, Substitute Senate Bill No. 200, Senate Joint Resolution No. 4, Substitute Senate Bill No. 209, Senate Joint Memorial No. 19, Senate Bill No. 94, Senate Bill No. 156 and Senate Joint Resolution No. 3 having been read three several times, title and history agreed to and passed, are herewith transmitted to the House for concurrence.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bills Nos. 202, 108, 193, 161, 168, 175, 153, Substitute Senate Bill 53, Senate Bills Nos. 107, 188, 195, 206, having this day been read three several times, title and history agreed to and passed, are herewith transmitted to the House for concurrence.

Respectfully,

GEORGE A. BURR,

Secretary of the Senate.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 144, House Joint Memorial No. 18 and House Bill No. 133.

RICE, Chairman.

Report adopted.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows, all appropriation measures having been read at length:

House Bill No. 133 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Berthot, Bjorneby, Bower, Brower, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Emswiler, Findlater, Flynn, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 85.

Noes: Ekern, Hess, Lambert, McCarthy, McClain, Sullivan. Total 6.

Absent and not voting: Acher, Beck, Brown, Daniel, Dunn, Freshman, Friedl, Kirscher, O'Connor, Ryan. Total 10.

Passed their vote: Cannon. Total 1.

House Bill No. 144 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bower, Brown, Clark, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Findlater, Gebhardt, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Lehrkind, Liggett, Lippard, Listug, Long, Lowe, Lynch, Malee, Martin, McFatridge, McGee, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Scofield, Siegling, Smith, Stafford, Stevens, Stewart, Stromnes, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 73.

Noes: Bjorneby, Brower, Flynn, Freshman, Goodwin, Hess, Laubach, Longenecker, Loughran, McCarthy, McKenna, Murray, Rice, Sorte, Spiegel, Sullivan, Tyler. Total 17.

Absent and not voting: Acher, Armstrong, Byrne, Cannon, Daniel, Dougherty, Friedl, Kirscher, Lambert, Leuthold, McClain, Ryan. Total 12.

House Joint Memorial No. 18 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Clark, Cole (Petroleum), Cole (Prairie), DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McFatridge, McKenna,

McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Brown, Mr. Speaker. Total 86.

Noes: Collins, Lambert, McClain. Total 3.

Absent and not voting: Acher, Byrne, Cannon, Daniel, Dougherty, Hageman, Kirscher, Leuthold, McGee, Murray, Ryan, Smith. Total 12.

Passed their vote: Stafford. Total 1.

It was moved by Stromnes, duly seconded and carried, that the House adjourn until Saturday, February 18th, 1939, at 12:00 M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

FORTY-EIGHTH DAY

House of Representatives,
Helena, Montana,
February 18th, 1939.

House convened, pursuant to adjournment, at 12:00 o'clock M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Acher and Ryan.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Forty-Seventh Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 325 having been read three several times, title and history agreed to and concurred in, is herewith returned to the House.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Stevens, duly seconded, that the House recess until 1:30. A call of the House was requested by the required number. On motion, duly seconded and carried, Call of the House was dispensed with.

It was moved by Stromnes, duly seconded and carried, that the House reconsider its action to dispense with the Call of the House. After the Clerk called the roll and the absentees were noted, it was moved by McLeod, duly seconded and carried, that the Call of the House be dispensed with. Whereupon, motion by Stevens to recess carried.

House resumed at 1:30 P. M. Mr. Speaker in the Chair.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

Senate Bill No. 166, introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to amend Sections 9367, 9369, 9370 and 9371, Revised Codes of Montana, 1935, relating to findings of fact and conclusions of laws and entry of judgment thereon, when reversals may be had for defective findings, exceptions thereto and proceedings thereon, and repealing all Acts and parts of Act in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 164, introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to amend Sections 1431, 1432, 1433, 1438, 1439, 1440, 1441, 1443 and 1444 (Revised Codes of Montana, 1935) of the Political Code, relating to the apprehension, examination, hearing and commitment of insane persons and providing for their maintenance and for procedure subsequent to hearing or commitment, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 149, introduced by Committee on Irrigation and Water Rights: A Bill for an Act entitled: "An Act to amend Section 7136, Revised Codes of Montana, 1935, so as to authorize Water Commissioners appointed under provision of Chapter 82, Civil Code, Revised Codes to admeasure and distribute stores and supplemental water appropriated and acquired by the State Water Conservation Board in the same manner and under the same laws, rules and regulations as decreed water rights are admeasured and distributed and providing for the payment of compensation of such Water Commissioner or Commissioners for admeasuring and distributing such stored and supplemental waters." Referred to Committee on Irrigation and Water Rights.

Senate Bill No. 144, introduced by Committee on Water Conservation and Flood Control: A Bill for an Act entitled: "An Act providing for the investigation by the State Water Conservation Board and State Engineer of the waters of this state, and authorizing the state engineer under the direction of the State Water Conservation Board to bring and conduct actions for the adjudication of streams; providing for a reference of issues of fact in water right actions and fixing powers and duties of referees therein; providing for surveys by state engineer, and securing of evidence and making reports and plats; and providing that such reports and plats may be offered and received as evidence, and further fixing procedure in such cases." Referred to Committee on Water Conservation and Flood Control.

Senate Bill No. 140, introduced by Campbell (Missoula): A Bill for an Act entitled: "An Act to amend Chapter 227 of the Revised Codes of Montana of 1935, relating to public contractors licenses and excluding school boards and school districts from the provisions thereof by adding a new subsection to the Chapter." Referred to Committee on Judiciary.

Substitute Senate Bill No. 119, introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to amend Section 25 of the Revised Codes of Montana of 1935, providing for exclusive jurisdiction of the United States and for the withdrawal of the Act of the Second Legislative Assembly of the State of Montana approved March 5, 1891, and the Act of the Third Legislative Assembly of the State of Montana amending the Act of March 5, 1891, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 77, introduced by Committee on Towns and Counties: A Bill for an Act entitled: "An Act to amend Section 219, Revised Codes of Montana, 1935, relating to employment of assistants, deputies and clerks by the state examiner, and fixing their salaries." Referred to Committee on State Boards and Offices.

Senate Bill No. 74, introduced by Committee on Irrigation and Water Rights: A Bill for an Act entitled: "An Act authorizing irrigation districts to avail themselves of the provisions of the Federal Bankruptcy Acts, to enter into agreements with their creditors for the readjustment of their debts

and to settle the same accordingly and validating such action heretofore taken." Referred to Committee on Judiciary.

Senate Bill No. 37, introduced by Burke: A Bill for an Act entitled: "An Act amending Sections 3228.21, 3228.22, 3228.23, 3228.27, 3228.28, 3228.29 and 3228.30 of the Revised Codes of Montana, 1935, as amended by Chapter 183 of the Session Laws of 1937, to provide for the sanitary regulations and licensing of barber shops, schools and colleges; to fix fees for the regulation of such barber shops, schools and colleges and for the annual renewal thereof; to provide penalties for violations of the provisions of the Act; to approve agreements from each city or town within the State of Montana; and to further enlarge the present powers of the Board of Barber Examiners." Referred to Committee on Public Health and Sanitary Affairs.

Senate Joint Memorial No. 18, introduced by Woods: "A Resolution Memorializing the Congress of the United States for the passage of legislation for the development of the Pig-Eye Basin Storage Project in Judith Basin county Montana as a flood control and water conservation measure." Referred to Committee on Water Conservation and Flood Control.

Senate Bill No. 107, introduced by Dairies and Dairying Committee: A Bill for an Act entitled: "An Act to amend Section 2634.1 of the Revised Codes of Montana, 1935, relating to egg dealers' license fees; to amend Section 2634.5 of the Revised Codes of Montana, 1935, relating to a certificate of candling; to amend Section 2634.6 of the Revised Codes of Montana, 1935, defining eggs unfit for human consumption; to amend Section 2634.7 of the Revised Codes of Montana, 1935, relating to the importation of eggs; to amend Section 2634.8 of the Revised Codes of Montana, 1935, relating to notices to purchaser of grade of eggs; to amend Section 2634.9 of the Revised Codes of Montana, 1935, relating to content of invoice; to amend Section 2634.11 Revised Codes of Montana, 1935, relating to penalties; adding to a new section to the Revised Codes of Montana, 1935, to be known as Section 2634.12, relating to the Montana State egg seal; adding a new section to the Revised Codes of Montana, 1935, to be known as Section 2634.13, relating to licensed egg graders; adding a new section to the Revised Codes of Montana, 1935, to be known as Section 2634.14 relating to revocation of licenses; and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Dairying.

Senate Bill No. 195, introduced by Committee on Aviation: A Bill for an Act entitled: "An Act to invest the Montana State Highway Commission with authority to assist municipal corporation in the construction and development of airports by lending equipment, machinery and technical services and recognizing and declaring an emergency." Referred to Committee on Aviation.

Senate Bill No. 206, introduced by Arnold, Lamp, Angvick, Weinschrott, Nutt, Robson, Plumer, Metzger, Foor and Dahl: A Bill for an Act entitled: "An Act to amend Sections 12103 and 12104 of the Revised Codes of Montana, 1935, relating to judgment of death; providing that the same shall be inflicted at a point in the state provided for that purpose; providing as to whom may attend; providing for execution under supervision of sheriff of the county; and providing for the return of the sheriff of the county upon the death warrant showing the execution thereof." Referred to Committee on Judiciary.

Senate Bill No. 188, introduced by Lamp: A Bill for an Act entitled: "An Act to amend Section 10178, Revised Codes of the Montana, 1935, Relating to limitation of actions on rejected claims against estates of deceased persons." Referred to Committee on Judiciary.

Senate Bill No. 130, introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act to amend Section 8845 of the Revised Codes of Montana of 1935, relating to courts of record may make rules, and repeal

all Acts or parts of Acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 186, introduced by Ecton: A Bill for an Act entitled: "An Act authorizing the making of leases of safe deposit vaults and boxes to two or more persons as joint tenants." Referred to Committee on Banks and Banking.

Senate Bill No. 153, introduced by Committee on Education: A Bill for an Act entitled: "An Act to amend Section 1263.3, 1263.6, 1263.8, 1263.12, and 1263.19, Revised Codes of Montana, 1935, all relating to the high school budgets." Referred to Committee on Education.

Senate Bill No. 207, introduced by Burke: A Bill for an Act entitled: "An Act relating to salary and other small installment loans, providing for supervision thereof by the State Banking department, fixing a maximum rate of interest thereon, providing for penalties and violation of the provisions of this Act, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 193, introduced by Campbell (Missoula): A Bill for an Act entitled: "An Act to create a Legislative Reference Bureau, to provide for its function and maintenance; providing for the appointment of a director and for the employment of necessary assistants from time to time and fixing the compensation of such employees, and to repeal Section 1568 of the Revised Codes of Montana, 1935." Referred to Committee on State Boards and Offices.

Senate Bill No. 212, introduced by Smith: A Bill for an Act entitled: "An Act relating to appropriation of water in the watershed of origin and use in another watershed and prohibiting the diversion thereof until and unless the necessity of lands in the watershed of origin are first supplied." Referred to Committee on Judiciary.

Senate Bill No. 175, introduced by Wood, Kroman, Haite, Burke, Nutt and Weinschrott: A Bill for an Act entitled: "An Act to amend Chapter 64 of the Laws of the Twenty-fifth Legislative Assembly of the State of Montana being, 'An Act for the cooperation with the State of Wyoming in water right matters and providing such appropriations of water to be subject to reciprocal legislation of such State of Wyoming and repealing all laws in conflict with the provisions of this Act.'" Referred to Committee on Water Conservation.

Senate Bill No. 168, introduced by Lott: A Bill for an Act entitled: "An Act to amend Section Six of Chapter Fifty-two, Laws of Montana, 1937; giving to the Montana Livestock Commission power to appoint Livestock inspectors at livestock markets; to fix their salaries which shall be paid by the livestock markets where employed and giving power to the Montana Livestock Commission or to the Montana Livestock Sanitary Board to adopt rules and regulations for livestock markets." Referred to Committee on Livestock and Public Ranges.

Senate Bill No. 150, introduced by Campbell (Meagher): A Bill for an Act entitled: "An Act providing for the creation of stock lanes for the driving of and travel of livestock thereon; defining the same as public highways and providing that the General Laws of this State with respect to the establishing, altering and vacating of highways shall apply thereto." Referred to Committee on Livestock and Public Ranges.

Senate Joint Memorial No. 13, introduced by Foor: "A Resolution Memorializing the Congress of the United States for the passage of the legislation making an allowance to all active members of the officers of the reserve corps of the army of the United States." Referred to Committee Military Affairs.

Senate Joint Memorial No. 14, introduced by Mulholland: "A Memorial to the Congress of the United States requesting the enactment of legis-

lation to bring workmen disabled with silicosis within the scope of the Social Security Act and requesting grants in aid to states desiring to enact silicosis compensation laws." Referred to Committee on Labor.

Senate Bill No. 79, introduced by Tierney and Pauline: A Bill for an Act entitled: "An Act regulating and prohibiting the employment of any married person by the State of Montana or any political subdivision thereof, whose husband or wife is gainfully employed; providing exemptions thereto and providing penalties for violation thereof and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Labor.

Substitute Senate Bill No. 31, introduced by Committee on Education: A Bill for an Act entitled: "An Act providing for the enactment of a new section to be designated as Section 1010-A Revised Codes of Montana, 1935, to amend Section 1013 Revised Codes of Montana 1935, providing for the enactment of a new section to be designated Section 1262.44-A Revised Codes of Montana, 1935, and to amend Sections 1262.81 and 1263.8, Revised Codes of Montana 1935, all relating to the attendance at school of elementary and high school pupils outside of the school districts and counties in which they reside, providing for payment for transportation or board, rent or tuition for such pupils and for transfer of budget appropriations and apportionments to the school districts in which they attend school." Referred to Committee on Education.

Senate Bill No. 85, introduced by Robson and Foor: A Bill for an Act entitled: "An Act to amend Section 2235 of the Revised Codes of Montana, 1935, relating to the sale of unredeemed property by County Commissioners." Referred to Committee on Judiciary.

Senate Bill No. 104, introduced by Horticulture Committee: A Bill for an Act entitled: "An Act to amend 3614, Revised Codes of Montana, 1935, relating to the sale of nursery stock, fruit, vegetables, inspection thereof and fees." Referred to Committee on Horticulture.

Senate Bill No. 124, introduced by Woods (Judith Basin): A Bill for an Act entitled: "An Act to amend Sections 2815.17 and 2815.25 of the Revised Codes of Montana of 1935, being a part of the Montana Beer Act, and to supplement said act with two new sections relating respectively to the procedure in case of failure of brewers or wholesalers to make returns or pay beer tax and the creation of a lien therefor and the manner of foreclosure and release thereof and to returns by railroads and motor carriers on beer manufactured out of the state and by them transported into and delivered in this state." Referred to Committee on Judiciary.

Senate Bill No. 127, introduced by Kroman, Waite, Nutt, Robson, Alvord, Mahoney, Ruffcorn and Weinschrott: A Bill for an Act entitled: "An Act providing for the establishment of Junior Colleges in County High Schools and in School Districts maintaining accredited high schools; providing for the maintenance and support of such Junior Colleges, regulating their courses of study, administration and operation and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Education.

Senate Bill No. 129, introduced by Committee on Roads and Highways: A Bill for an Act entitled: "An Act authorizing the State Highway Commission to sell any interest acquired in real property for highway purposes which is not necessary for the laying out, altering, construction, improvement or maintenance of any state highway." Referred to Committee on Highways, and Highway Transportation.

Senate Bill No. 132, introduced by Alvord: A Bill for an Act entitled: "An Act amending Section 1262.37 relating to the establishment by school districts of High Schools." Referred to Committee on Education.

Senate Bill No. 136, introduced by Kroman: A Bill for an Act entitled: "An Act to provide for the designation of certain high schools as

vocational training centers, providing for admission to such training centers and for rules and regulations governing applicants for admission, and providing for transfer of apportionment, and for fees." Referred to Committee on Education.

Senate Bill No. 139, introduced by Committee on Roads and Highways: A Bill for an Act entitled: "An Act amending Section 1760.7 Revised Codes of Montana, 1935, by adding thereto additional provisions authorizing the Registrar of Motor Vehicles to enter into reciprocal agreements to provide that foreign registered and licensed motor vehicles, trailers and semi-trailers may be operated on the highways of Montana without the necessity of registration or licensing in the state when such privilege is extended to reciprocity allowed to motor vehicles, trailer or semi-trailers of this state by the laws of such country, state or territory excluding from such reciprocal agreements the operation of motor trucks and defining the same." Referred to Committee on Highways and Highway Transportation.

Senate Bill No. 145, introduced by Simmons: A Bill for an Act entitled: "An Act to amend Section 9111 of the Revised Codes of Montana of 1935, as amended by Chapter 175 of the Twenty-fifth Legislative Assembly, 1937, relating to summons—how served, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 146, introduced by Committee on Judiciary: A Bill for an Act entitled: "An Act expressing the consent of the State of Montana to the composition of municipal indebtedness of cities and towns of the State of Montana under the provisions of the "Municipal Corporation Bankruptcy Act" of the United States empowering such cities and towns to act thereunder and under the order and decrees of the Bankruptcy Court relative thereto and for the composition of their municipal debts; providing that this Act shall take effect from and after its passage and approval, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 147, introduced by Drumheller: A Bill for an Act entitled: "An Act to amend Section 3742, Revised Codes of Montana 1935, relating to transportation, possession and disposal of game animals or parts thereof to exclude from the provisions thereof the hides of elk and deer." Referred to Committee on Fish and Game.

Senate Bill No. 151, introduced by Waldrop, Hammond and Woods: A Bill for an Act entitled: "An Act providing for the appointment of deputies to county officers in counties of the Seventh Class and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Townships and Counties.

Substitute Senate Bill No. 209, introduced by Committee on Roads and Highways: A Bill for an Act entitled: "An Act to amend Section 3847.1 and Section 3847.2, of the Revised Codes of Montana, relating to the definition of terms of the Motor Carrier Act; for supervision and regulation of motor carriers by the Board of Railroad Commissioners, including the supervision by the said Board of Railroad Commissioners over the rates, fares, charges and classifications of motor carriers." Referred to Committee on Highways and Highway Transportation.

Senate Bill No. 183, introduced by Burke: A Bill for an Act entitled: "An Act to amend Section 3083.3 of the Revised Codes of Montana, 1935, relating to hours of labor in sugar refineries by permitting labor in excess of eight (8) hours incident to change of shifts." Referred to Committee on Labor.

Senate Joint Memorial No. 19, introduced by Campbell (Missoula), Lott and Martinson: "A resolution Memorializing the Congress of the

United States for the passage of legislation authorizing the continuance of the purchase of silver." Referred to Committee on Mines and Mining.

Senate Joint Resolution 4, introduced by Arnold: A Joint Resolution entitled: "A Resolution authorizing the Governor of the State of Montana to appoint a commission to compile, arrange and codify into statute form the several laws of the State of Montana, and the decisions of the Supreme Court of the State of Montana, interpreting said laws relating to the appropriation of waters within the State of Montana for a beneficial use and to make recommendations of changes, alterations and modifications of such laws as may be deemed proper." Referred to Committee on Water Conservation.

Senate Joint Resolution 3, introduced by Mulholland, Campbell (Missoula): "A resolution requesting the governor of the State of Montana to appoint a commission to continue a study of occupational diseases and particularly silicosis in the State of Montana, and to make recommendations to the Twenty-seventh Legislative Assembly at its session in 1941 of legislation relating thereto." Referred to Committee on Labor.

Senate Bill No. 94, introduced by Fish and Game Committee: A Bill for an Act entitled: "An Act to amend Section 3685 of the Revised Codes of Montana, 1935, relating to fees and powers under licenses—tagging of carcasses and reports of killing of elk or deer and repealing certain provisions relating to transfer of funds." Referred to Committee on Fish and Game.

Senate Bill No. 42, introduced by Ecton: A Bill for an Act entitled: "An Act amending Section 1805.61 of the Revised Codes of Montana, 1935, relating to State Lands, easements for right of ways, requirements for easements for right of ways, duties of Commissioner of State Lands and Investments, duties of the State Board of Land Commissioners, and amending Section 1805.62, of the Revised Codes of Montana, 1935, relating to right of way easements for public highways, streets, railroads and other purposes, and amending Section 1805.63 of the Revised Codes of Montana, 1935, relating to right of way easements, settlements with lessees and repealing Sections 1805.58, 1805.59 and 1805.60 of the Revised Codes of Montana, 1935, together with all Acts and parts of Acts in conflict herewith." Referred to Committee on State Lands.

Senate Bill No. 156, introduced by Foor: A Bill for an Act entitled: "An Act relating to freedom of speech transmitted over and by means of radio broadcasting stations the liability under the law of libel and defamation of the owners and operators of such stations who without actual malice allow and permit their facilities to be used in the discussion of controversial or any other subjects; allowing and permitting discretion to be exercised in the submission for permanent filing of a copy of the complete address, discussion, or other form of expression intended or proposed to be broadcast and transmitted over the facilities of such station or stations, and designating the maximum time for the submission of such copy and relating to evidence of malice; declaring the liability under the law of libel and defamation of persons using broadcasting facilities, including any person, firm or corporation owning or operating such station or stations, and repealing all Acts or parts of Acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 72, introduced by Robinson: A Bill for an Act entitled: "An Act to amend Section 2736.7 of Chapter 248, Revised Codes of Montana, 1935, by prohibiting the use of aircraft, in such manner as to frighten to stampede livestock and providing that actual and punitive damages may be recovered therefor." Referred to Committee on Aviation.

Substitute Senate Bill No. 200, introduced by Judiciary Committee: A Bill for an Act entitled: "An Act providing for the adoption of the provisions and regulations of the 'National Electrical Safety Code' as ap-

proved by the American Engineering Standards Committee, November 15, 1927, and all revisions thereof now or hereafter approved and adopted by the American Engineering Standards Committee in the construction of all Rural Electrification Administration Projects and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 171, introduced by Haight: A Bill for an Act entitled: "An Act to amend Section 5098 and Section 5108.16, Revised Codes of Montana, 1935, relating to the police departments of cities and towns and providing for the creation of a police commission in cities of the first and second class, and providing a minimum wage to be paid police officers in cities of the first class." Referred to Committee on Affairs of Cities.

Senate Bill No. 108, introduced by Committee on Roads and Highways: A Bill for an Act entitled: "An Act to amend Section 2433.5 of the Revised Codes of Montana, 1935, by adding additional provisions to permit contractors to bid for and be awarded contracts advertised by the Montana Highway Commission on Federal Aid Work without procuring licenses therefor." Referred to Committee on Highways and Highway Transportation.

Senate Bill No. 202, introduced by Cotter: A Bill for an Act entitled: "An Act to amend Section 3847.27 of the Revised Codes of Montana, 1935, exempting certain Class "B" Motor Operators from the provisions of the tax on gross operating revenue and amend all Acts and parts of Acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

Senate Bill No. 152, introduced by Dahl: A Bill for an Act entitled: "An Act providing for the assignment or transfer of liability in whole or in part under policies written by a rural mutual insurance company organized under the provisions of Sections 6170 to 6205 inclusive of the Revised Codes of Montana of 1935, to another company or companies organized under said laws." Referred to Committee on Insurance.

Senate Bill No. 158, introduced by Committee on Counties and Towns: A Bill for an Act entitled: "An Act relating to the floating indebtedness of counties outstanding at close of business on the Twenty-eighth Day of February 1939, and providing for the levying of special taxes or the issuance of funding bonds to pay such indebtedness when the same exceeds a certain amount." Referred to Committee on Townships and Counties.

Senate Bill No. 161, introduced by Mahoney and Foor: A Bill for an Act entitled: "An Act providing for the lettering on State owned motor vehicles, the kind, size and place of letters, vehicles in service of the Governor and Highway Patrol excepted; and providing for penalties therefore." Referred to Committee on State Boards and Offices.

Senate Bill No. 162, introduced by Committee on Oils and Leases: A Bill for an Act entitled: "An Act to amend Section 2399, Montana Revised Codes, 1935, relating to the taxation of persons engaged in the business of producing petroleum." Referred to Committee on Petroleum, Oil and Gas.

Senate Bill No. 155, introduced by Foor: A Bill for an Act entitled: "An Act amending Section 10,000 of the Revised Codes of Montana, 1935, relating to reports of Public Administrators on condition of estates and giving notice thereof." Referred to Committee on Judiciary.

Senate Bill No. 165, introduced by Committee on Finance and Claims: A Bill for an Act entitled: "An Act to cancel of record defaulted war defense loans, seed or otherwise, made to or held by the State of Montana, as authorized by Sections 5624 to 5637 inclusive R. C. M. 1921, which

have been extinguished by the Statute of Limitations or other Laws of the State of Montana." Referred to Committee on Revenue and Taxation.

Senate Bill No. 115, introduced by Martinson: A Bill for an Act entitled: "An Act to amend Section 8706, Revised Codes of Montana, 1935, by adding thereto a subsection, to be known as 8706.1 relative to the damages that may be recovered in civil actions against public officers, growing out of the discharge of the duties of the office." Referred to Committee on Judiciary.

Senate Bill No. 117, introduced by Lamp, Alvord, Anvick, Robson, Plumer, Keeley: A Bill for an Act entitled: "An Act creating small claims departments of Justices Courts defining their jurisdiction and powers and providing a system of practice and procedure therefor." Referred to Committee on Judiciary.

Substitute Senate Bill No. 53, introduced by Judiciary Committee: A Bill for an Act entitled: "An Act to amend Sections 3170, 3173, 3174, 3175, 3176, 3177, 3202.10, 3202.11, 3202.12 and 3202.13, Revised Codes of Montana, 1935, providing for the comprehensive regulation of the practice of pharmacy, and the regulation of the sale of drugs, medicines, chemicals and poisons; providing for a State Board of Pharmacy and defining its powers and duties, and investing it with power to promulgate regulations within this Act; setting forth the requirements for registration and licensing of pharmacists, pharmacies, drug stores and other places; defining terms used in the Act, setting forth penalties for violations of this Act and repealing Sections 3171, 3172, 3178, 3179, 3180, 3181, 3182, 3184, 3202.7, 3202.8 and 3202.9, Revised Codes of Montana, 1935, and all Acts and parts of Acts in conflict herewith." Referred to Committee on Public Health and Sanitary Affairs.

Senate Bill No. 142, introduced by Hammond and Haight: A Bill for an Act entitled: "An Act to amend Section 2214.2 of the Revised Codes of Montana, 1935, as amended by Chapter 132 of the Session Laws of the Twenty-fifth Legislative Session, 1937, relating to legalizing and validating tax deed heretofor issued notwithstanding any error in the form, substance or amounts state in notice of application for tax deed unless the amount actually due for taxes, interest and penalty has been tendered to the holder of the tax deed or County Treasurer before the approval of this Act." Referred to Committee on Judiciary.

Senate Joint Resolution 2, introduced by Mann, Burke, Campbell (Meagher) and Murphy: "A resolution requesting the Governor of the State of Montana to appoint a commission to make a study of conditions at the State Prison and at the State Industrial School and to make recommendations to the Twenty-seventh Legislative Assembly at its session in 1941 of legislation relating thereto and to consider the advisability of a third intermediate penal or reformatory institution." Referred to Committee on State Boards and Offices.

Senate Joint Resolution 5, introduced by Robinson, Nutt, Harlen, Ruffcorn and Poor: "A resolution requesting Congress of the United States to give effect to the 'Bankhead-Jones Farm Tenant Act' of July 22, 1937, to permit a continuation in Montana of Rural resettlement provisions and to provide for the purchase, development, and resale of land to farm tenants." Referred to Committee on Agriculture.

Senate Joint Memorial No. 17, introduced by Pauline and Mahoney: "A Memorial to the Congress of the United States, urging the passage of an amendment to the Social Security Act providing for the administration of Unemployment Compensation by the Federal Government instead of by the several states and removing the burden of the Social Security Tax from the employers payroll." Referred to Committee on Social Security.

Senate Bill No. 125, introduced by Woods (Judith Basin): A Bill for an Act entitled: "An Act relating to the use of County road and Highway machinery and equipment upon the streets, avenues and alleys of

incorporated cities and towns." Referred to Committee on Townships and Counties.

Senate Joint Memorial No. 16, introduced by Nutt et al: "A Memorial to Honorable Franklin D. Roosevelt, president of the United States, and to the Honorable Senate and House of Representatives of the United States in Congress assembled." Referred to Committee on Federal relations.

Senate Bill No. 138, introduced by Committee on Roads and Highways: A Bill for an Act entitled: "An Act to amend Sections 1751.2, 1751.4, 1751.5, 1751.6, 1751.7 and 1751.9 and to repeal sub-paragraphs "a" and "c" of Section 1751.3, of the Revised Codes of the State of Montana of 1935, an Act regulating the size and weight of highway vehicles; regulating the size and number of trailers and towed vehicles, and limiting the total load permissible for each vehicle and the gross weight of any axle, and prohibiting the use of vehicles with wheels having on their periphery any block, lug, stud, flange, cleat or spike; the issuance of special permits covering the movement of excess loads over highways; the power of the Highway Commission and local road authorities to impose load limit restrictions when conditions warrant; the delegation of authority for the enforcement of statutory load limit restrictions and the penalties that are to be imposed for violations thereof; and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

Substitute Senate Bill No. 71, introduced by Stockgrowing and Grazing Committee: A Bill for an Act entitled: "An Act defining hide buyers; providing for the licensing thereof; providing for the inspection of hide or hides of cattle or of any horse, mare, colt, mule, jack or jenny, purchased by a hide buyer; providing for a bill of sale and identifying seals, and the forms thereof; requiring inspection in either the county of seller's residence or in the county where the animal was killed; prohibiting falsifying the bill of sale; prohibiting carriers from transporting uninspected and untagged hides; providing a penalty for violation of this Act; amending Sections 3350.1, 3350.2, 3350.7, 3350.8, 3350.10 and 3350.11 of Chapter 291 Revised Codes of Montana, 1935, and all statutes in conflict herewith." Referred to Committee on Livestock and Public Ranges.

Senate Bill No. 201, introduced by Burke: A Bill for an Act entitled: "An Act to define noxious weeds and noxious weed seed and declaring them a nuisance; to authorize the formation and creation of noxious weed control and noxious weed seed extermination districts, providing for the management thereof, the control of work therein, the determination of and levying of assessments therein; authorizing a quarantine against introduction of noxious weeds and weed seed into the State of Montana and into any county thereof; providing penalties for violations of the provisions of this Act; authorizing the cooperation of the Board of County Commissioners with any State or Federal Aid program in furthering the operation of this Act; and repealing Sections 4506, 4507, 4508, 4509, 4510, 4511, 4512, 1513, 1513.1 and 4513.2 of the Revised Codes of Montana, 1935, as amended by Chapter 41 of the Session Laws of 1937, and all Acts and parts of Acts in conflict herewith." Referred to Committee on Irrigation and Water Rights.

Senate Bill No. 211, introduced by Lamp and Alvord: A Bill for an Act entitled: "An Act to amend Section 10921 of the Revised Codes of Montana, 1935, relating to making arrests, seizure or levy upon property, or dispossession of lands, without regular process or legal authority, by adding thereto a provision prohibiting the issuance by Justice of the Peace of writs or process signed in blank and delivery of the same to any person or corporation, with the intent that they may fill in the blanks and cause service thereof or levy upon and seizure of property thereunder, and providing a penalty therefor." Referred to Committee on Judiciary.

Senate Bill No. 210, introduced by Lamp and Alvord: A Bill for an Act entitled: "An Act to amend Section 9632 of the Revised Codes of

Montana, 1935, as amended by Chapter 34 of the Session Laws of the State of Montana, relating to the time for appearance of defendant and to entry of judgment in Justice of the Peace courts when defendant fails to appear and answer or demur." Referred to Committee on Judiciary.

Senate Bill No. 197, introduced by Plumer: A Bill for an Act entitled: "An Act authorizing the creation of a safety or reserve fund by mutual hail, fire, lightning and other insurance companies organized under the provisions of Section 6170 to 6205 of the Revised Codes of Montana of 1935, and authorizing investment of the reserve fund thereof." Referred to Committee on Insurance.

Senate Bill No. 177, introduced by Alvord and Pauline: A Bill for an Act entitled: "An Act relating to the time of assessment and levy of taxes on motor vehicles and collection of taxes thereon and amending Section 1759 of the Revised Codes of Montana, 1935, as amended by Chapter 72 of the laws of the Twenty-fifth Legislative Assembly of the State of Montana and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

Senate Bill No. 199, introduced by Weinschrott, Nutt, Dahl, Burke, Wilson, Waite, Wood, Kroman, Starks and Martinson: A Bill for an Act entitled: "An Act to require County Commissioners to annually select tax title property to be sold and offer the same for sale, and authorizing the County Commissioners, with the advice of the County Agricultural Planning Committees, to establish and use policies and provide for leasing tax title lands, under such conditions as will best advance public benefit and welfare, including leasing for five to ten years for grazing purposes, with power in the commissioners to fix the carrying capacity of the land; and to amend Section 2208.1 Revised Codes of the State of Montana, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 198, introduced by Pauline, Hammond and Smith: A Bill for an Act entitled: "An Act to create the Montana Armory Board and to define its powers and duties." Referred to Committee on Military Affairs.

Senate Bill No. 181, introduced by Burke: A Bill for an Act entitled: "An Act to amend Section 2841 of the Revised Codes of Montana, 1935, relating to workmen's compensation; repealing Section 2843 of the Revised Codes of Montana, 1935, and all Acts and parts of Acts in conflict herewith." Referred to Committee on Workmen's Compensation.

Senate Bill No. 176, introduced by Foor: A Bill for an Act entitled: "An Act providing for the release of sureties on official bonds of all state, county and other officers, and from the bonds of executors, administrators and guardians and other undertakings, and prescribing the procedure therefor; providing that an office failing to file a new undertaking thereby forfeits office; prescribing the liability of and amount of the new undertaking; amending Sections 494, 502 and 503 and repealing Sections 495 to 501 inclusive, of the Revised Codes of Montana, 1935." Referred to Committee on State Boards and Offices.

Senate Bill No. 173, introduced by Simmons and Drumheller: A Bill for an Act entitled: "An Act to amend Section 10279 of the Revised Codes of Montana of 1935, relating to validation of sales—curative deeds, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 172, introduced by Simmons and Drumheller: A Bill for an Act entitled: "An Act to amend Section 2196 of the Revised Codes of Montana of 1935, relating to Treasurer to enter in a book description of land sold; if taxes paid subsequent to prior tax sale certificate, County Treasurer to make entry, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 169, introduced by Nutt: A Bill for an Act entitled: "An Act to amend Section 1999 of the Revised Codes of the State of Montana, 1935, as amended by Chapter 130 of the Laws of Montana, Twenty-fifth Session 1937, relating to the classification of property for taxation." Referred to Committee on Judiciary.

THIRD READING

The following Senate Amendments to House Bills were concurred in by the following vote:

Senate Amendments to House Bill No. 29 were concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Duncan, Dunn, Emswiler, Findlater, Gebhardt, Goodwin, Green, Hageman, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Listug, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McLeod, Metlen, Morrison, Moss (Flathead), Moss (Custer), Murray, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Roehl, Scofield, Smith, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck and Mr. Speaker. Total 70.

Absent and not voting: Acher, Acton, Antrim, Armstrong, Bjerneby, Cannon, D'Ewart, Dougherty, Ekern, Flynn, Freshman, Friedl, Hammond, Hess, Horrigan, Lehrkind, Leuthold, Lippard, Long, Malee, McKenna, Melin, Miles, Newell, O'Connor, Potter, Rice, Ryan, Siegling, Sorte, Stromnes and Woods. Total 32.

Senate Amendments to House Bill No. 73 were concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Brower, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Duncan, Dunn, Ekern, Findlater, Flynn, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Long, Loughran, Lowe, Lynch, Martin, McClain, McFatridge, McGee, McLeod, Melin, Morrison, Moss (Flathead), Murray, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Wilson, Zuck, Brown and Mr. Speaker. Total 72.

Noes: Longenecker. Total 1.

Absent and not voting: Acher, Acton, Antrim, Armstrong, Bower, D'Ewart, Dougherty, Emswiler, Freshman, Hoiness, Lehrkind, Leuthold, Lippard, Listug, Malee, McCarthy, McKenna, Metlen, Miles, Moss (Custer), Newell, O'Connor, Rice, Ryan, Scofield, Siegling, Stromnes, Williams and Woods. Total 29.

Senate Amendments to House Bill No. 126 were concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Beck, Bjerneby, Bower, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Duncan, Dunn, Flynn, Friedl, Gebhardt, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Laubach, Liggett, Lippard, Longenecker, Loughran, Lowe, Martin, Mc-

Clain, McGee, McKenna, McLeod, Melin, Metlen, Morrison, Moss (Flathead), Moss (Custer), Murray, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Smith, Sorte, Spiegel, Stafford, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wilson, Zuck, Brower and Mr. Speaker. Total 65.

Absent and not voting: Acher, Acton, Antrim, Armstrong, Berthot, Brown, Cannon, D'Ewart, Dougherty, Ekern, Emswiler, Findlater, Freshman, Goodwin, Green, Horrigan, Lambert, Lehrkind, Leuthold, Listug, Long, Lynch, Malee, McCarthy, McFatridge, Miles, Newell, O'Connor, Padbury, Roehl, Ryan, Scofield, Siegling, Stevens, Wenger, Williams and Woods. Total 37.

INTRODUCTION OF BILLS

Unanimous consent was given to introduce the following House Bill, which was read first and second times at length, and referred to the Committee on Appropriations:

House Bill No. 427, introduced by Appropriation Committee: A Bill for an Act entitled: "An Act to appropriate money for the State Department of Public Welfare of the State of Montana for public assistance, for administrative costs in the state department and in the county departments of public welfare and for all other expenditures that the State Department of Public Welfare is authorized to incur, for the period beginning with July 1, 1939 and terminating with June 30, 1941." Referred to Committee on Appropriations.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Mr. Brower in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Bills Nos. 10, 14, 17, 19, 32 and 45 be concurred in.

That Senate Bill No. 39 be passed temporarily.

BROWER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Bills Nos. 114 and 325.

COLE, Vice-Chairman.

Report adopted.

I have examined House Bill No. 114 introduced by me and find the same to be correct.

RICE

I have examined House Bill No. 325 introduced by me and find the same to be correct.

FRIEDL

The Speaker signed the following in Open Session: House Bills Nos. 325 and 114.

UNFINISHED BUSINESS

It was moved by Smith, duly seconded, that the House revert to Order of Business No. 6.

On substitute motion, it was moved by McLeod, duly seconded, that the House adjourn until Monday, February 20th, 1939, at 11:00 o'clock A. M. After discussion, the previous question was moved by Stafford, duly seconded and carried. Motion to adjourn lost. Whereupon motion by Smith to revert to Order of Business No. 6, carried by the necessary two-thirds majority.

MOTIONS AND RESOLUTIONS

It was moved by Smith, duly seconded, that the Speaker appoint a committee of five members to meet with a committee from the Senate on Revenue and Taxation problems.

Longenecker offered the following amendment to the above motion, which was adopted: "Provided, however, that no recommendation shall be brought in to this body to suggest that any measure will be offered to legalize gambling. Whereupon motion by Smith, was adopted, as amended.

It was moved by McLeod, duly seconded and carried, that the Speaker be allowed to make the committee appointment on the above motion, while the House was out of Session and instruct the members of the committee to proceed.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Monday, February 20th, 1939, at 11:00 o'clock A. M.

D. M. MANNING,

Speaker.

J. P. BRENNAN, Chief Clerk.

FIFTIETH DAY

House of Representatives,
Helena, Montana,
February 20, 1939.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Acher, Gebhardt, Ryan, Smith. Total 4.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Forty-eighth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 427, respectfully report as follows: That House Bill No. 427 do pass.

DOUGHERTY, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker: This is to advise that the Governor has this day approved House Bill No. 421 by Appropriations Committee and the same has been filed with the Secretary of State and a copy thereof with the Clerk of the Supreme Court.

Respectfully yours,

JOHN J. JEWELL,

Secretary to the Governor.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 197, 70, 140, 165, House Joint Memorial No. 14, Substitute House Bill No. 18 and Substitute House Bill No. 120, were this day read three several times, title and history agreed to as amended, and are herewith returned to the House for concurrence in Senate amendments.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 132, 283, 215, 168, 354, 174, 395, 163, 164 and 121, were this day read three several times, title and history agreed to and were concurred in and are herewith returned to the House.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 10 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Murray, Newell, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stevens, Stewart, Tyler, Vanderbeck, Watson, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 81.

Noes: Sullivan, Wenger. Total 2.

Absent and not voting: Acher, Armstrong, Baker, Cole (Prairie), Freshman, Gebhardt, Horrigan, Lehrkind, Liggett, Malee, McFatrige, Moss (Flathead), Moss (Custer), O'Connor, Padbury, Ryan, Smith, Stafford, Stromnes. Total 19.

Senate Bill No. 14 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Goodwin, Green, Hageman, Hess, Hoiness, James, Kellogg, Lambert, Laubach, Leuthold, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, Melin, Metlen, Miles, Morrison, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Mr. Speaker. Total 79.

Noes: Anderson (Cascade), McLeod, Murray, Tyler, Zuck. Total 5.

Absent and not voting: Acher, Armstrong, Baker, Cole (Prairie), Gebhardt, Hammond, Horrigan, Kirscher, Lehrkind, Liggett, Malee, Moss (Flathead), Moss (Custer), O'Connor, Ryan, Smith, Stromnes. Total 17.

Passed their vote: Petersen. Total 1.

Senate Bill No. 15 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Aronson, Baker, Balgord, Beck, Berthot, Bjorneby, Bower, Brower, Byrne, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Ekern, Emswiler, Findlater, Freshman, Goodwin, Green, Hageman, Hoiness, James, Kellogg, Lambert, Laubach, Leuthold, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, McCarthy, McFatrige, McGee, McKenna, Melin, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Sorte, Stevens, Vanderbeck, Watson, Williams, Wilson, Woods, Mr. Speaker. Total 62.

Noes: Anderson (Cascade), Beadle, Brown, Cannon, Clark, Daniel, Duncan, Friedl, Hess, Long, Martin, McClain, McLeod, Murray, Parker (Wibaux), Siegling, Spiegel, Stafford, Stewart, Sullivan, Tyler, Wenger, Zuck. Total 23.

Absent and not voting: Acher, Armstrong, Dunn, Flynn, Gebhardt, Hammond, Horrigan, Kirscher, Lehrkind, Liggett, Malee, Metlen, Moss (Flathead), O'Connor, Ryan, Smith, Stromnes. Total 17.

Senate Bill No. 19 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Clark, Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Ekern, Emswiler, Findlater, Flynn, Friedl, Goodwin, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Laubach, Leuthold, Lippard, Listug, Loughran, Lynch, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stewart, Sullivan, Tyler, Vanderbeck, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 75.

Noes: Cole (Petroleum), Dougherty, Duncan, Dunn, Freshman, Green, Lambert, Long, Longenecker, Lowe, Stevens, Watson. Total 12.

Absent and not voting: Acher, Armstrong, Byrne, Gebhardt, Horrigan, Lehrkind, Liggett, Malee, Moss (Flathead), O'Connor, Padbury, Rice, Ryan, Smith, Stromnes. Total 15.

Senate Bill No. 32 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Findlater, Flynn, Freshman, Friedl, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Laubach, Lehrkind, Leuthold, Listug, Longenecker, Loughran, Lowe, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, Melin, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 77.

Noes: Anderson (Cascade), Daniel, Lambert, Lippard, Long, McLeod, Murray, Sorte, Spiegel. Total 9.

Absent and not voting: Acher, Armstrong, Cannon, Emswiler, Gebhardt, Horrigan, Kirscher, Liggett, Lynch, Malee, Metlen, Moss (Flathead), O'Connor, Ryan, Smith, Stromnes. Total 16.

Senate Bill No. 45 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Aronson, Baker, Balgord, Beck, Berthot, Bjorneby, Bower, Byrne, Cole (Prairie), Collins, Daniel, De-

Dobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Green, Hageman, Hammond, Hess, Hoiness, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Listug, Loughran, Lowe, Lynch, Martin, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Potter, Reed, Roehl, Scofield, Sorte, Spiegel, Stevens, Stewart, Stromnes, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 70.

Noes: Anderson (Cascade), Beadle, Brower, Brown, Clark, Cole (Petroleum), Goodwin, Lambert, Lippard, Long, McCarthy, Murray, Petersen, Rice, Siegling, Stafford, Sullivan, Tyler. Total 18.

Absent and not voting: Acher, Armstrong, Cannon, Gebhardt, Horrigan, James, Liggett, Longenecker, Malee, Moss (Flathead), O'Connor, Parker (Flathead), Ryan, Smith. Total 14.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

D'Ewart in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following recommend:

That Senate Amendments to House Bill No. 197 be not concurred in and that a Conference Committee be appointed by the House and a like Committee requested from the Senate.

That Senate Amendments to House Bills Nos. 70 and 165 be concurred in.

That Senate Amendments to House Bill No. 140 be not concurred in and that a Conference Committee be appointed from the House and a like committee be requested from the Senate.

That Senate Amendments to House Joint Memorial No. 14 be concurred in.

That Senate Amendments to Substitute House Bill No. 18 be not concurred in and that a Conference Committee be appointed from the House and a like Committee be requested from the Senate.

That Senate Amendments to Substitute House Bill No. 120 be concurred in.

That Senate Bills Nos. 78, 65, 103, 70, 105, 81 and 90 be concurred in.

That Senate Bill No. 98 be amended as follows: Amend Section 2 by striking out House Committee on Agriculture Amendment which adds the words "sugar beets" and also strike House Committee on Agriculture amendment which strikes Subsection (4) of Section 4; and as amended, be concurred in.

That consideration of Senate Bill No. 99 be passed temporarily.

That Senate Bill No. 112 be concurred in.

D'EWART, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Byrne, duly seconded and carried, that the Special Investigating Committee of the House be granted additional time to make its report to the House, that is, until the 58th Legislative Day.

It was moved by DeDobbeleer, duly seconded and carried, that Senate Bill No. 99 be taken from General Orders and re-referred to the Committee on Agriculture.

It was moved by Stromnes, duly seconded and carried, that Senate Bill No. 39 be taken from General Orders and re-referred to the Committee on Judiciary.

The Speaker appointed the following conference committees:

On Senate Amendments to House Bill No. 140—Leuthold, Goodwin, and Roehl;

On Senate Amendments to House Bill No. 18—Spiegel, Liggett, and Moss of Custer;

On Senate Amendments to House Bill No. 197—Beck, Tyler and Parker of Flathead.

It was moved by McLeod, duly seconded and carried, that the House recess until 3:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 427 beg leave to report that the same have this date been returned from the printer correctly printed.

BECK, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Insurance having had under consideration Senate Bill No. 152, respectfully report as follows: That Senate Bill No. 152 be concurred in.

FRESHMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Insurance having had under consideration Senate Bill No. 197, respectfully report as follows: That Senate Bill No. 197 be concurred in.

FRESHMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration Senate Bill No. 140, respectfully report as follows: That Senate Bill No. 140 be not concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration Senate Bill No. 151, respectfully report as follows: That Senate Bill No. 151 be not concurred in.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banks and Banking having had under consideration Senate Bill No. 186, respectfully report as follows: That Senate Bill No. 186 be recommended for concurrence.

BERTHOT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration Senate Bill No. 129, respectfully report as follows: That Senate Bill No. 129 be concurred in.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration Senate Bill No. 139, respectfully report as follows: That Senate Bill No. 139 be concurred in.

LEHRKIND, Chairman.

Report adopted.

THIRD READING

The following, having been read three several times, history and title agreed to were disposed of as follows:

Senate Amendments to House Bill No. 70 were concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Cannon, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Goodwin, Green, Hageman, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Lippard, Listug, Long, Loughran, Lowe, Malee, McCarthy, McFatridge, McGee, McKenna, Melin, Miles, Morrison, Moss (Custer), Newell, Parker (Wibaux), Potter, Reed, Rice, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 70.

Noes: Longenecker. Total 1.

Absent and not voting: Acher, Antrim, Armstrong, Baker, Byrne, Clark, Dougherty, Freshman, Friedl, Gebhardt, Hammond, Hess, Hoiness, Horrigan, Liggett, Lynch, Martin, McClain, McLeod, Metlen, Moss (Flathead), Murray, O'Connor, Padbury, Parker (Flathead), Petersen, Roehl, Ryan, Smith, Stromnes, Sullivan. Total 31.

Senate Amendments to House Bill No. 165 were concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower Brower, Brown, Cannon, Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Ekern, Emswiler, Findlater, Flynn, Goodwin, Green, Hageman, Hammond, Horrigan, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Malee, McCarthy, McClain, McFatridge, McKenna, Melin, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 74.

Noes: D'Ewart, McGee. Total 2.

Absent and not voting: Acher, Antrim, Armstrong, Baker, Byrne, Clark, Cole (Petroleum), Dunn, Freshman, Friedl, Gebhardt, Hess, Hoiness, James, Liggett, Lynch, Martin, McLeod, Metlen, Moss (Flathead), Murray, O'Connor, Ryan, Smith, Stromnes, Sullivan. Total 26.

Senate Amendments to House Joint Memorial No. 14 were concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Clark, Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Emswiler, Findlater, Flynn, Goodwin, Green, Hageman, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, Melin, Miles, Morrison, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Stevens, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 74.

Absent and not voting: Acher, Armstrong, Baker, Byrne, Cole (Petroleum), Dougherty, Ekern, Freshman, Friedl, Gebhardt, Hammond, Hess, Hoiness, Horrigan, Liggett, Lynch, McLeod, Metlen, Moss (Flathead), Moss (Custer), Murray, O'Connor, Ryan, Smith, Spiegel, Stromnes, Sullivan. Total 27.

Passed their vote: Stafford. Total 1.

Senate Amendments to Substitute House Bill No. 120 were concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Flynn, Goodwin, Green, Hageman, Hammond, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Listug, Long, Loughran, Lowe, Malee, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 77.

Noes: Miles. Total 1.

Absent and not voting: Acher, Armstrong, Baker, Byrne, DeDobbeleer, Findlater, Freshman, Friedl, Hess, Hoiness, Liggett, Lippard, Longenecker, Lynch, McFatridge, Metlen, Moss (Flathead), O'Connor, Parker (Flathead), Ryan, Smith, Stromnes, Sullivan. Total 24.

Senate Bill No. 78 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Flynn, Goodwin, Green, Hageman, James, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Lippard, Listug, Long, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McGee, McKenna, Melin, Miles, Morrison, Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, McLeod, Mr. Speaker. Total 68.

Noes: Lambert. Total 1.

Absent and not voting: Acher, Armstrong, Baker, Byrne, Dougherty, Findlater, Freshman, Friedl, Gebhardt, Hammond, Hess, Hoiness, Horrigan, Liggett, Longenecker, McFatridge, Metlen, Moss (Flathead), Moss (Custer), Parker (Flathead), Ryan, Smith, Stromnes. Total 23.

Senate Bill No. 65 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cannon,

Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Long, Loughran, Lowe, Lynch, Malee, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Wilson, Woods, Zuck, Mr. Speaker. Total 76.

Absent and not voting: Acher, Antrim, Armstrong, Baker, Byrne, Dougherty, Ekern, Freshman, Gebhardt, Hess, Hoiness, Horrigan, Liggett, Lippard, Listug, Longenecker, Martin, McFatridge, Metlen, Miles, Moss (Flathead), Parker (Flathead), Ryan, Smith, Stromnes, Williams. Total 26.

MESSAGES FROM THE GOVERNOR

Mr. Speaker, Ladies and Gentlemen: I am returning herewith House Bill Number 96 entitled: "An Act to amend Section 5766 of the Revised Codes of Montana of 1935 relating to the period of residence required to entitle plaintiff to divorce." to your Honorable Body, the House in which said Bill originated, without my approval and with my objections thereto, which are as follows:

I do not believe that Montana should have the stigma of commercializing upon the unsuccessful and the unfortunate marriage and domestic troubles of her sister states.

ROY E. AYERS,
Governor of Montana.

MOTIONS AND RESOLUTIONS

It was moved by O'Connor, duly seconded, that House Bill No. 96 become a law notwithstanding the Governor's Veto.

A Call of the House was demanded by the required number. On motion, duly seconded and carried, further call of the House was dispensed with.

On substitute motion, it was moved by O'Connor, duly seconded and carried, that his former motion be made a Special Order of Business at 11:00 o'clock, Tuesday morning, Feb. 21, 1939.

THIRD READING

The following having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 103 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Lambert, Laubach, Lehrkind, Leuthold, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Stafford, Stevens, Stewart, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 83.

Noes: Stromnes. Total 1.

Absent and not voting: Acher, Anderson (Cascade), Armstrong, Baker, Byrne, Freshman, Friedl, Gebhardt, Hess, Kirscher, Liggett, Metlen, Moss (Flathead), Parker (Wibaux), Ryan, Smith, Spiegel, Vanderbeck. Total 18.

Senate Bill No. 70 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 80.

Noes: Long, Stromnes. Total 2.

Absent and not voting: Acher, Armstrong, Baker, Byrne, D'Ewart, Ekern, Freshman, Gebhardt, Hageman, Hess, Hoiness, Horrigan, James, Liggett, Moss (Flathead), O'Connor, Ryan, Smith, Sullivan, Woods. Total 20.

Senate Bill No. 105 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Balgord, Beadle, Beck, Bjorneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Horrigan, Kellogg, Lambert, Laubach, Lehrkind, Leuthold, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 78.

Absent and not voting: Acher, Armstrong, Baker, Berthot, Byrne, Ekern, Freshman, Gebhardt, Hess, Hoiness, James, Kirscher, Liggett, Lynch, Malee, McFatridge, Moss (Flathead), Padbury, Roehl, Ryan, Smith, Stromnes, Sullivan, Vanderbeck. Total 24.

Senate Bill No. 81 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Baker, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Collins, Daniel, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Goodwin, Green, Hageman, Hammond, Hess, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Lippard, Long, Longenecker, Loughran, Lowe, Lynch, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Miles, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Stafford, Stevens, Stewart, Stromnes, Tyler, Vanderbeck, Watson, Wenger, Williams, Woods, Zuck, Mr. Speaker. Total 80.

Absent and not voting: Acher, Armstrong, Balgord, Byrne, Cole (Prairie), DeDobbeleer, Ekern, Gebhardt, Hoiness, Liggett, Listug, Malee, Martin, McFatridge, Metlen, Morrison, Moss (Flathead), Ryan, Smith, Spiegel, Sullivan, Wilson. Total 22.

Senate Bill No. 90 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Ekern, Emswiler, Findlater, Freshman, Friedl, Goodwin, Green, Hageman, Hammond, Hess, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Scofield, Sorte, Spiegel, Stevens, Stewart, Stromnes, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 83.

Noes: Duncan, Siegling, Stafford. Total 3.

Absent and not voting: Acher, Armstrong, Byrne, Flynn, Gebhardt, Hoiness, Horrigan, Liggett, Lynch, Malee, Metlen, Moss (Flathead), Parker (Flathead), Ryan, Smith, Sullivan. Total 16.

Senate Bill No. 98 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 84.

Noes: D'Ewart. Total 1.

Absent and not voting: Acher, Armstrong, Byrne, Gebhardt, Horrigan, Lambert, Liggett, Malee, Martin, McCarthy, Metlen, Moss (Flathead), Parker (Flathead), Ryan, Smith, Stromnes, Sullivan. Total 17.

Senate Bill No. 112 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Lambert, Leuthold, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Scofield, Siegling, Spiegel, Stafford, Stevens, Stewart, Stromnes, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 83.

Noes: Duncan. Total 1.

Absent and not voting: Acher, Armstrong, Byrne, Dougherty, Ekern, Gebhardt, Horrigan, Laubach, Lehrkind, Liggett, Malee, Metlen, Moss (Flathead), Rice, Ryan, Smith, Sorte, Sullivan. Total 18.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

D'Ewart in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That House Bill No. 426 do pass.

That House Bill No. 427 do pass.

That Senate Bills Nos. 152, 197, 186, 129, and 139 be concurred in.

That Senate Joint Memorial Nos. 6, 7, 8, 10, and 12 be concurred in.

That consideration of Senate Joint Resolution No. 6 be passed temporarily.

That Senate Bill No. 59 be amended as follows: Amend Section 7, line 11, by striking the word and figure "five (5)" and inserting in lieu thereof the word and figure "ten (10)" and as amended, be concurred in.

LONGENECKER, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by McLeod, duly seconded and carried, that House Bill Nos. 426 and 427 be considered properly engrossed and placed on Third Reading.

THIRD READING

The following, having been read three several times at length, history and title agreed to, were disposed of as follows:

House Bill No. 426 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Balgord, Beadle, Beck, Bjorneby, Brower Brown, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Friedl, Goodwin, Green, Hageman, Hammond, Hess, Horrigan, Kellogg, Kirscher, Laubach, Leuthold, Lippard, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McKenna, McLeod, Melin, Metlen, Morrison, Moss (Custer), Murray, Newell, O'Connor, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Roehl, Scofield, Siegling, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Zuck, Mr. Speaker. Total 74.

Absent and not voting: Acher, Armstrong, Baker, Berthot, Bower, Byrne, Cannon, Flynn, Freshman, Gebhardt, Hoiness, James, Lambert, Lehrkind, Liggett, Listug, Malee, McFatrige, McGee, Miles, Moss (Flathead), Padbury, Petersen, Ryan, Smith, Sorte, Wilson, Woods. Total 28.

House Bill No. 427 was passed by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Baker, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Goodwin, Green, Hageman, Hammond, Hess, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatrige, McKenna,

McLeod, Melin, Miles, Morrison, Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 81.

Noes: Lambert. Total 1.

Absent and not voting: Acher, Armstrong, Balgord, Cannon, Freshman, Friedl, Gebhardt, Hoiness, Horrigan, James, Liggett, Malee, McGee, Metlen, Moss (Flathead), Moss (Custer), Ryan, Smith, Stevens, Woods. Total 20.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Tuesday, February 21, 1939, at 10:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

FIFTY-FIRST DAY

House of Representatives,
Helena, Montana.
February 22, 1939.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Acher, Gebhardt and Ryan.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fiftieth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Agriculture, having had under consideration Senate Bill No. 99, respectfully report as follows: That Senate Bill No. 99 be amended:

In Section 5 by striking out in Line 6, printed bill, the word "may", and inserting in lieu thereof "shall, when funds are available," and be concurred in as amended.

DeDOBBELEER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Horticulture, having had under consideration Senate Bill No. 104, respectfully report as follows: That Senate Bill No. 104 be concurred in.

MELIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 171, respectfully report as follows: That Senate Bill No. 171 be concurred in.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration Senate Bill No. 71, respectfully report as follows: That Senate Bill No. 71 be amended as follows:

Amend Section 7, Page 4, of the Printed Bill by a striking out in Line two (2) the words and figures "twenty-five (25c) cents", and inserting in lieu thereof the words and figures "ten cents (10c)" and as amended do pass.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration Senate Joint Resolution No. 2, respectfully report as follows: That Senate Joint Resolution No. 2 be concurred in.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, having had under consideration Senate Joint Resolution No. 5, respectfully report as follows: That Senate Joint Resolution No. 5 be concurred in.

DeDOBBELEER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration Senate Bill No. 176, respectfully report as follows: That Senate Bill No. 176 be referred to the Judiciary Committee.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Bills Nos. 215, 163, 168, 29, 121, 73 and 283.

COLE, Vice-chairman.

Report adopted.

I have examined House Bill No. 29 introduced by me and find the same to be correct.

BALGORD.

I have examined House Bill No. 168 introduced by me and find the same to be correct.

RICE.

I have examined House Bill No. 163 introduced by me and find the same to be correct.

HESS.

I have examined House Bill No. 215 introduced by me and find the same to be correct.

WATSON.

I have examined House Bill No. 283 introduced by me and find the same to be correct.

MORRISON.

I have examined House Bill No. 73 introduced by me and find the same to be correct.

LEHRKIND.

I have examined House Bill No. 121 introduced by me and find the same to be correct.

STROMNES.

The Speaker signed the following in Open Session: House Bills Nos. 183, 121, 173, 29, 73 and 163.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker: This is to advise you that the Governor has this day approved: House Joint Memorial No. 11 by Lambert and the same has been filed with the Secretary of State and a copy thereof with the Clerk of the Supreme Court.

Respectfully yours,

JOHN J. JEWELL.

Secretary to the Governor.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 275, 303, 399, 116 and 255, having failed in concurrence in the Senate, are herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 161, having been read three several times, title and history agreed to as amended, is herewith returned to the House for concurrence in Senate amendments.

Respectfully yours,

GEORGE A. BURR.

Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by McFatrige, duly seconded, that the House reconsider its action on Senate Bill No. 140. Motion was lost.

It was moved by O'Connor, duly seconded, that the Special Order of Business set for this morning at eleven o'clock be postponed until Thursday morning, February 23rd, 1939, at 11:00 o'clock A. M.

On substitute motion, it was moved by Stromnes, duly seconded, that said Special Order of Business on House Bill No. 96 be set for Wednesday, February 22, 1939, at 2:00 o'clock P. M.

As a substitute motion for all motions pending, it was moved by Smith, duly seconded and carried, that the Special Order of Business on House Bill No. 96 be set for Friday, February 24th, 1939, at 11:00 o'clock A. M.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 152 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Brower, Brown, Clark, Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Emswiler, Findlater, Freshman, Friedl, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Laubach, Lehrkind, Liggett, Lippard, Listug, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatrige, McKenna, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Rice, Roehl, Scofield, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Wenger, Wilson, Woods, Zuck and Mr. Speaker. Total 76.

Noes: Bower, Duncan, Dunn, Flynn, Lambert and Watson. Total 6.

Absent and not voting: Acher, Antrim, Byrne, Cannon, Cole (Petroleum), Ekern, Gebhardt, Horrigan, Leuthold, Long, Longenecker, Malee, McGee, McLeod, Moss (Flathead), Parker (Flathead), Reed, Ryan, Siegling and Williams. Total 20.

Senate Bill No. 197 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Freshman, Goodwin, Green, Hageman, Hess, Hoiness, James, Kellogg, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Loughran, Lynch, Martin, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Rice, Roehl, Scofield, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 79.

Absent and not voting: Acher, Antrim, Byrne, Cannon, Ekern, Flynn, Friedl, Gebhardt, Hammond, Horrigan, Kirscher, Leuthold, Longenecker, Lowe, Malee, McCarthy, Moss (Flathead), Reed, Ryan, Siegling, Smith, Sorte and Stromnes. Total 23.

Senate Bill No. 186 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Freshman, Friedl, Goodwin, Green, Hageman, Hammond, Hess, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lynch, Martin, McCarthy, McClain, McKenna, McLeod, Melin, Metlen, Miles, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Roehl, Scofield, Sorte, Spiegel, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods and Mr. Speaker. Total 77.

Noes: McGee, Morrison, Rice, Stafford and Zuck. Total 5.

Absent and not voting: Acher, Antrim, Byrne, Cannon, DeDobbeleer, D'Ewart, Flynn, Gebhardt, Hoiness, Horrigan, Leuthold, Lowe, Malee, McFatridge, Moss (Flathead), O'Connor, Reed, Ryan, Siegling, Smith. Total 20.

Senate Bill No. 139 was concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Beadle, Beck, Bjorneby, Bower, Brower, Brown, Clark, Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Goodwin, Green, Hageman, Hammond, Hess, James, Kellogg, Kirscher, Lambert, Lehrkind, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McKenna, McLeod, Melin, Metlen, Miles, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Mr. Speaker. Total 75.

Noes: McGee, Morrison, Rice and Zuck. Total 4.

Absent and not voting: Acher, Acton, Antrim, Baker, Balgord, Berthot, Byrne, Cannon, Cole (Petroleum), Cole (Prairie), Dunn, Gebhardt, Hoiness, Horrigan, Laubach, Leuthold, McFatridge, Moss (Flathead), O'Connor, Reed, Ryan, Smith and Stromnes. Total 23.

Senate Bill No. 59 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Armstrong, Aronson, Beck, Berthot, Bjorneby, Bower, Brower, Byrne, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Green, Hageman, Hammond, Horrigan, Kellogg, Kirscher, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Longenecker, Lowe, Lynch, Malee, McFatridge, McKenna, Miles, Moss (Custer), Newell, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Roehl, Scofield, Smith, Sorte, Stevens, Stewart, Stromnes, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods and Mr. Speaker. Total 64.

Noes: Anderson (Cascade), Beadle, Brown, Goodwin, Hess, Lambert, Loughran, Martin, McCarthy, McClain, McGee, McLeod, Melin, Morrison, Murray, Petersen, Rice, Spiegel, Stafford, Sullivan, Tyler and Zuck. Total 22.

Absent and not voting: Acher, Antrim, Baker, Balgord, Cole (Prairie), Dunn, Gebhardt, Hoiness, James, Leuthold, Metlen, Moss (Flathead), O'Connor, Reed, Ryan and Siegling. Total 16.

Senate Joint Memorial No. 6 was concurred in by the following vote:

Ayes: Acton, Anderson (Cascade), Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Goodwin, Green, Hageman, Hess, Hoiness, Horrigan, Kellogg, Kirscher, Lambert, Lehrkind, Liggett, Lippard, Listug, Longenecker, Loughran, Lowe, Malee, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Rice, Roehl, Scofield, Sorte, Spiegel, Stevens, Stewart, Sullivan, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 76.

Noes: Duncan, Tyler. Total 2.

Absent and not voting: Acher, Anderson (Phillips), Antrim, Cannon, Cole (Prairie), Friedl, Gebhardt, Hammond, James, Laubach, Leuthold, Long, Lynch, McFatridge, Moss (Flathead), Murray, Parker (Flathead), Reed, Ryan, Siegling, Smith, Stromnes and Vanderbeck. Total 23.

Passed their vote: Stafford. Total 1.

Senate Joint Memorial No. 7 was concurred in by the following vote:

Ayes: Acton, Anderson (Cascade), Antrim, Armstrong, Aronson, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Potter, Roehl, Scofield, Sorte, Stevens, Stewart, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 76.

Noes: Horrigan, Petersen and Rice. Total 3.

Absent and not voting: Acher, Anderson (Phillips), Baker, Balgord, Byrne, Cannon, Cole (Prairie), Gebhardt, Kirscher, Lambert, Laubach, Lynch, Moss (Flathead), Murray, Parker (Flathead), Reed, Ryan, Siegling, Smith, Spiegel, Stromnes and Vanderbeck. Total 22.

Passed their vote: Stafford. Total 1.

Senate Joint Memorial No. 8 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Balgord, Beadle, Beck, Bjorneby, Bower, Brown, Byrne, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Goodwin, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Newell, Parker (Wibaux), Petersen, Potter, Rice, Roehl, Scofield, Smith, Sorte, Spiegel, Stevens, Stewart, Stromnes, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 78.

Absent and not voting: Acher, Armstrong, Aronson, Baker, Berthot, Brower, Cannon, Cole (Prairie), Ekern, Gebhardt, Green, Horrigan, Liggett, McCarthy, Moss (Flathead), Murray, O'Connor, Padbury, Parker (Flathead), Reed, Ryan, Siegling and Vanderbeck. Total 23.

Passed their vote: Stafford. Total 1.

Senate Joint Memorial No. 10 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Goodwin, Green, Hageman, Hammond, Hess, Horrigan, James, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Miles, Moss (Custer), Murray, Newell, Petersen, Potter, Rice, Roehl, Scofield, Smith, Sorte, Spiegel, Stevens, Stewart, Stromnes, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 79.

Noes: Duncan. Total 1.

Absent and not voting: Acher, Anderson (Cascade), Baker, Byrne, Cannon, Cole (Prairie), Dunn, Gebhardt, Hoiness, Lambert, Longenecker, Morrison, Moss (Flathead), O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Reed, Ryan, Siegling and Vanderbeck. Total 21.

Passed their vote: Stafford. Total 1.

Senate Joint Memorial No. 12 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Parker (Wibaux), Potter, Rice, Roehl, Scofield, Sorte, Spiegel, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 81.

Absent and not voting: Acher, Anderson (Cascade), Baker, Byrne, Cannon, Cole (Prairie), Dougherty, Gebhardt, Horrigan, Lowe, Malee, Moss (Flathead), Padbury, Parker (Flathead), Petersen, Reed, Ryan, Siegling, Smith, Stromnes. Total 20.

Passed their vote: Stafford. Total 1.

Senate Bill No. 129 was concurred in by the following vote:

Ayes: Acton Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Goodwin, Green, Hageman, Hess, Hoiness, James, Kellogg, Kirscher, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Parker (Wibaux), Potter, Rice, Roehl, Scofield, Smith, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck and Mr. Speaker. Total 81.

Noes: Lambert, McKenna and Sorte. Total 3.

Absent and not voting: Acher, Byrne, Cannon, Clark, Cole (Prairie), Gebhardt, Hammond, Horrigan, Laubach, Lippard, Moss (Flathead), Padbury, Petersen, Reed, Ryan, Siegling, Stromnes, and Woods. Total 18.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Moss of Custer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Bills Nos. 99, 104 and Substitute Senate Bill No. 71 be concurred in.

That Senate Joint Resolution No. 6 be amended as follows: Amend by adding the following signatures at the end of the resolution:

JOHN W. ACHER
W. S. ACTON
ERICK ANDERSON
W. M. ANDERSON
STANLEY ANTRIM
ORY J. ARMSTRONG
J. HUGO ARONSON
C. E. BAKER
O. P. BALGORD
MINNIE BEADLE
(MRS. M. KERR)
MARTIN J. BECK
A. G. BERTHOT
EMIL G. BJORNEBY
FRANK A. BOWER
A. J. BROWER
ROBERT C. BROWN
E. J. BYRNE
PAUL CANNON
L. W. CLARK
KENNETH COLE
N. A. COLE
ROY D. COLLINS
J. W. DANIEL
JASPER DeDOBDELEER
WESLEY A. D'EWARD
JAMES N. DOUGHERTY
THOMAS W. DUNCAN

ROBERT J. DUNN
H. O. EKERN
S. J. EMSWILER
(BOB) R. P. FINDLATER
JOHN J. FLYNN
WALTER FRESHMAN
PAUL FRIEDL
R. H. GEBHARDT
PHIL C. GOODWIN
HENRY R. GREEN
ARTHUR HAGEMAN
GRANT HAMMOND
H. H. HESS
MELVIN HOINESS
FRANK W. HERRIGAN
DAVID F. JAMES
G. C. KELLOGG
W. G. KIRSCHER
H. A. LAMBERT
HARRY LAUBACH
CARL LEHRKIND, JR.
J. H. LEUTHOLD
J. A. LIGGETT
GORDON J. LIPPARD
A. T. LISTUG
J. J. LONG
H. H. LONGENECKER
MIKE LOUGHRAN

RAY G. LOWE
 AUSTIN E. LYNCH
 D. M. MANNING
 THOMAS C. MALEE
 MRS. R. T. MARTIN
 DENIS McCARTHY
 M. A. McCLAIN
 ARTHUR E. McFATRIDGE
 ALBERT McGEE
 GEORGE S. McKENNA
 ARCHIE D. McLEOD
 MARIAN A. MELIN
 JOE METLEN
 BEN B. MILES
 R. E. MORRISON
 G. M. MOSS
 (SLIM) S. E. MOSS
 THOMAS MURRAY
 J. T. NEWELL
 G. W. O'CONNOR
 FRED H. PADBURY
 CLEM PARKER
 NEIL C. PARKER
 P. C. PETERSEN

JOHN V. POTTER
 W. H. REED
 JOHN E. RICE
 E. R. ROEHL
 THOMAS RYAN
 CHARLES L. SCOFIELD
 ROBERT A. SIEGLING
 SHERMAN W. SMITH
 MARVIN J. SORTE
 SAM SPIEGEL
 JOHN D. STAFFORD
 CHARLES L. STEVENS
 G. D. STEWART
 E. J. STROMNES
 FRANK K. SULLIVAN
 R. G. TYLER
 JAMES H. VANDERBECK, JR.
 FRED WATSON
 EDWARD WENGER
 C. J. WILLIAMS
 STUART P. WILSON
 W. E. WOODS
 JOHN Q. ZUCK

and as amended be concurred in.

That Senate Joint Resolution No. 2 be amended as follows: Amend by adding at the end of the Resolution a new paragraph: "RESOLVED, that the sum of Five Thousand (\$5,000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay the salary of said Commissioners and all other necessary expenses", and that said resolution be referred to the Committee on Appropriations as amended.

That Senate Joint Resolution No. 5 be concurred in.

That Senate Bill No. 5 be amended as follows: Amend Section 4 by striking out in lines one and two the words and figures "from and after January 1, 1941", and inserting in lieu thereof the words "from and after its passage and approval", and as amended be concurred in.

That Senate Amendments to House Bill No. 161 be not concurred in and a conference committee be appointed in the House and a like committee requested from the Senate.

That Senate Bill No. 171 be concurred in.

MOSS (Custer), Chairman.

It was moved by Moss of Custer, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Stromnes, duly seconded, that Senate Bill No. 5 be segregated from the report of the Committee of the Whole.

A call of the House was requested by the required number. The House reported progress and on motion, duly seconded and carried, call of the House was dispensed with.

A roll call, to be entered in the Journal, was requested by the required number and motion to segregate Senate Bill No. 5 lost by the following vote:

Ayes: Berthot, Byrne, Duncan, Friedl, Green, Lehrkind, Lippard, Lynch, Metlen, Morrison, Parker (Wibaux), Petersen, Rice, Stromnes, Vanderbeck and Mr. Speaker. Total 16.

Noes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Bjerneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Ekern, Findlater, Flynn, Freshman, Goodwin, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Laubach, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Flathead), Potter, Roehl, Scofield, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck. Total 79.

Absent and not voting: Acher, Emswiler, Gebhardt, Lambert, Reed, Ryan and Siegling. Total 7.

Whereupon report of the Committee of the Whole was adopted.

It was moved by McLeod, duly seconded and carried, that the House recess until 3:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 147, respectfully report as follows: That Senate Bill No. 147 be concurred in.

MALEE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Joint Resolution No. 2, respectfully report as follows: That Senate Joint Resolution No. 2 be not concurred in.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Water Conservation and Flood Control, having had under consideration Senate Joint Memorial No. 18, respectfully report as follows: That Senate Joint Memorial No. 18 be concurred in.

PARKER (Wibaux), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, having had under consideration Senate Bill No. 42, respectfully report as follows: That Senate Bill No. 42 be concurred in.

SORTE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration Senate Bill No. 181, respectfully report as follows: That Senate Bill No. 181 be concurred in.

MCCARTHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 16, respectfully report as follows: That Senate Joint Memorial No. 16 be concurred in.

STEVENS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration Senate Bill No. 150, respectfully report as follows: That Senate Bill No. 150 be amended as follows:

In Section 4, Line 5, of the Printed Bill strike out the words "shall adjoin" and insert in lieu thereof the words "may adjoin" and as amended be concurred in.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 164, respectfully report as follows: That Senate Bill No. 164 be concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 173, respectfully report as follows: That Senate Bill No. 173 be concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 207, respectfully report as follows: That Senate Bill No. 207 be not concurred in.

STROMNES, Chairman.

It was moved by Stromnes, duly seconded, that the report be adopted.

On substitute motion, it was moved by Rice, duly seconded, that Senate Bill No. 207 be placed on General Orders. After considerable discussion, the previous question was moved, duly seconded and carried. Whereupon motion by Stromnes to adopt committee report was carried.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 55, respectfully report as follows: That Senate Bill No. 55 be not concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 155, respectfully report as follows: That Senate Bill No. 155 be not concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration Senate Joint Resolution No. 3, respectfully report as follows: That Senate Joint Resolution No. 3 be concurred in.

SPIEGEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration Senate Bill No. 79, respectfully report as follows: That Senate Bill No. 79 be not concurred in.

SPIEGEL, Chairman.

It was moved by Spiegel, duly seconded, that the report be adopted.

On substitute motion, it was moved by Brower, duly seconded, that Senate Bill No. 79 be placed on General Orders. Motion lost. Whereupon motion to adopt report carried.

Mr. Speaker: We, your Committee on Labor, having had under consideration Senate Joint Memorial No. 14, respectfully report as follows: That Senate Joint Memorial No. 14 be concurred in.

SPIEGEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration Senate Bill No. 183, respectfully report as follows: That Senate Bill No. 183 be not concurred in.

SPIEGEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration Senate Bill No. 108, respectfully report as follows: That Senate Bill No. 108 be concurred in.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration Senate Bill No. 177, respectfully report as follows: That Senate Bill No. 177 be concurred in.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Mines and Mining, having had under consideration Senate Joint Memorial No. 19, respectfully report as follows: That Senate Joint Memorial No. 19 be concurred in.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration Senate Bill No. 58, respectfully report as follows: That Senate Bill No. 58 be concurred in.

BYRNE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 70, 395, 174, 354, 132 and Substitute House Bill No. 120.

COLE, Vice-chairman.

Report adopted.

I have examined House Bill No. 70 introduced by me and find the same to be correct.

JAMES.

I have examined House Bill No. 395 introduced by me and find the same to be correct.

STEVENS.

I have examined House Bill No. 174 introduced by me and find the same to be correct.

McFATRIDGE.

I have examined House Bill No. 354 introduced by me and find the same to be correct.

KELLOGG.

I have examined House Bill No. 132 introduced by me and find the same to be correct.

FRESHMAN.

I have examined Substitute House Bill No. 120 introduced by me and find the same to be correct.

McCLAIN.

The Speaker signed the following in Open Session: House Bills Nos. 70, 395, 132, 174, 354 and Substitute House Bill No. 120.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 74, respectfully report as follows: That Senate Bill No. 74 be concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 130, respectfully report as follows: That Senate Bill No. 130 be concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 193, respectfully report as follows: That Senate Bill No. 193 be concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 146, respectfully report as follows: That Senate Bill No. 146 be concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 188, respectfully report as follows: That Senate Bill No. 188 be amended as follows:

By striking out in line 6, Section 1, the words "on the day of filing", and inserting in lieu thereof the words "within three days thereafter" and as amended be concurred in.

STROMNES, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Ekern, duly seconded and carried, that House Bill No. 282 be recalled from the Senate for reconsideration in the House.

It was moved by Lippard, duly seconded and carried, that the House Chambers be set aside Monday night, February 27th, 1939, for the Mock Session.

INTRODUCTION OF BILLS

House Memorial No. 2, introduced by Committee on Highways and Highway Transportation, by unanimous consent of the House was read first and second time and referred to a committee.

HOUSE MEMORIAL NO. 2, INTRODUCED BY COMMITTEE ON
HIGHWAYS AND HIGHWAY TRANSPORTATION:

A Memorial urging the Congress of the United States to cause a completion of the Lewis and Clark Highway. Referred to Committee on Highways and Highway Transportation.

MOTIONS AND RESOLUTIONS

It was moved by O'Connor, duly seconded, that the House reconsider its action in adopting an adverse committee report on Senate Bill No. 207.

On substitute motion, it was moved by Stromnes, duly seconded, that the motion by O'Connor be laid on the table. A roll call, to be entered in the Journal was requested by the required number and motion to table the motion to reconsider Senate Bill No. 207 was carried by the following vote:

Ayes: Acton, Anderson (Phillips), Armstrong, Aronson, Balgord, Berthot, Brower, Clark, Cole (Petroleum), Collins, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Green, Hageman, Hammond, Hoiness, Kellogg, Kirscher, Laubach, Lehrkind, Liggett, Lippard, Lowe, Lynch, McFatrige, Miles, O'Connor, Padbury, Parker (Flathead), Potter, Roehl, Seofield, Siegling, Stevens, Stewart, Stromnes, Watson, Wenger, Williams, Woods and Mr. Speaker. Total 45.

Noes: Anderson (Cascade), Beadle, Beck, Bjorneby, Bower, Brown, Cannon, Cole (Prairie), Daniel, DeDobbeleer, Ekern, Flynn, Friedl, Goodwin, Hess, Lambert, Listug, Long, Longenecker, Loughran, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Metlen, Morrison, Moss (Custer), Murray, Newell, Parker (Wibaux), Petersen, Rice, Smith, Spiegel, Stafford, Sullivan, Vanderbeck, Wilson and Zuck. Total 41.

Absent and not voting: Acher, Antrim, Baker, Byrne, Freshman, Gebhardt, Horrigan, James, Leuthold, Malee, Melin, Moss (Flathead), Reed, Ryan, Sorte and Tyler. Total 16.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration Senate Bill No. 51, respectfully report as follows: That Senate Bill No. 51 be amended as follows:

By striking out in Section 2, Line 8 and 9, following the words "foot correctionist", the words "practopedist, podologist". By changing Section 8 to read "Section 9". Add to the Bill: "Section 8. Nothing in this Act shall be construed as prohibiting the fitting, recommending, advertising, adjusting or the sale of corrective shoes, arch support, or similar mechanical appliances or foot remedies by retail dealers or manufacturers." By striking out all of Section 9, which reads "This Act shall be in full force and effect from and after its passage and approval" in its entirety. And as amended be concurred in.

LYNCH, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 186, 72, 264, 384, 228, 266, House Joint Memorial No. 12 and Substitute House Bill No. 374, having failed in concurrence on Standing Committee Reports, are herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 267, having failed in concurrence in Committee of the Whole, is herewith returned to the House.

Respectfully,

GEORGE A. BURR.

Secretary of the Senate.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 99 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Goodwin, Green, Hageman, Hammond, Hess, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, McCarthy, McFatrige, McKenna, McLeod, Miles, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Vanderbeck, Watson, Williams, Wilson, Woods, Zuck, Metlen and Mr. Speaker. Total 77.

Noes: Martin. Total 1.

Absent and not voting: Acher, Anderson (Cascade), Armstrong, Baker, Byrne, D'Ewart, Ekern, Gebhardt, Hoiness, Horrigan, James, Leuthold, Malee, McClain, McGee, Melin, Moss (Flathead), O'Connor, Reed, Rice, Ryan, Smith, Tyler and Wenger. Total 24.

Senate Bill No. 104 was concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Freshman, Friedl, Goodwin, Green, Hageman, Hess, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Martin, McCarthy, McFatrige, McKenna, McLeod, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Vanderbeck, Watson, Wenger, Wilson, Woods, Zuck and Mr. Speaker. Total 74.

Noes: Flynn and Stromnes. Total 2.

Absent and not voting: Acher, Acton, Armstrong, Baker, Byrne, Cannon, Cole (Prairie), D'Ewart, Gebhardt, Hammond, Hoiness, Horrigan, Leuthold, Lynch, Malee, McClain, McGee, Melin, Moss (Flathead), O'Connor, Padbury, Reed, Ryan, Smith, Tyler, Williams. Total 26.

Substitute Senate Bill No. 71 was concurred in by the following vote:

Ayes: Acton, Anderson (Cascade), Antrim, Aronson, Balgord, Beadle, Beck, Bjorneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Ekern, Emswiler, Findlater, Freshman, Friedl, Goodwin, Green, Hageman, Hess, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Listug, Longenecker, Loughran, Lowe, Martin, McCarthy, McKenna, McLeod, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker

(Wibaux), Parker (Flathead), Petersen, Potter, Rice, Roehl, Scofield, Sorte, Spiegel, Stafford, Stevens, Stewart, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 69.

Noes: Duncan, Flynn, Long, Siegling and Vanderbeck. Total 5.

Absent and not voting: Acher, Anderson (Phillips), Armstrong, Baker, Berthot, Byrne, Cannon, Cole (Prairie), Gebhardt, Hammond, Hoiness, Horrigan, Leuthold, Lippard, Lynch, Malee, McClain, McFatridge, McGee, Melin, Moss (Flathead), Reed, Ryan, Smith, Stromnes, Sullivan, Tyler, Watson. Total 28.

Senate Joint Resolution No. 6 was concurred in by the following vote:

Ayes: Acton, Anderson (Cascade), Aronson, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Goodwin, Green, Hageman, Hess, Kellogg, Lambert, Laubach, Lehrkind, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McFatridge, McGee, McKenna, McLeod, Morrison, Moss (Custer), Murray, Newell, O'Connor, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stevens, Stewart, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 70.

Absent and not voting: Acher, Anderson (Phillips), Antrim, Armstrong, Baker, Balgord, Byrne, Cannon, Cole (Prairie), D'Ewart, Gebhardt, Hammond, Hoiness, Horrigan, James, Kirscher, Leuthold, Lippard, Malee, McClain, Melin, Metlen, Miles, Moss (Flathead), Padbury, Reed, Ryan, Smith, Stromnes, Sullivan and Tyler. Total 31.

Passed their vote: Stafford. Total 1.

Senate Joint Resolution No. 5 was concurred in by the following vote:

Ayes: Acton, Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Bjorneby, Bower, Brower, Brown, Cole (Petroleum), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Goodwin, Green, Hageman, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McFatridge, McGee, McKenna, McLeod, Morrison, Moss (Custer), Murray, Newell, O'Connor, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stevens, Stewart, Sullivan, Vanderbeck, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 72.

Noes: Clark. Total 1.

Absent and not voting: Acher, Anderson (Phillips), Baker, Berthot, Byrne, Cannon, Cole (Prairie), D'Ewart, Friedl, Gebhardt, Hammond, Horrigan, Leuthold, Lippard, Malee, McClain, Melin, Metlen, Miles, Moss (Flathead), Padbury, Reed, Ryan, Smith, Stromnes, Tyler and Watson. Total 28.

Passed their vote: Stafford. Total 1.

Senate Bill No. 5 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Bjorneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, Dougherty, Dunn, Ekern, Findlater, Freshman, Hageman, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold,

Liggett, Listug, Long, Lowe, Malee, Martin, McCarthy, McFatrige, McGee, McKenna, McLeod, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker, (Flathead), Potter, Roehl, Scofield, Smith, Spiegel, Stafford, Stevens, Stewart, Sullivan, Watson, Wenger, Williams, Wilson, Woods and Zuck. Total 68.

Noes: Berthot, Duncan, Emswiler, Flynn, Friedl, Goodwin, Green, Lehrkind, Loughran, Lynch, Metlen, Miles, Morrison, Parker (Wibaux), Petersen, Rice, Siegling, Vanderbeck and Mr. Speaker. Total 19.

Absent and not voting: Acher, Byrne, Cole (Prairie), D'Ewart, Gebhardt, Hammond, Lippard, Longenecker, McClain, Melin, Reed, Ryan, Sorte, Stromnes, Tyler. Total 15.

Senate Bill No. 171 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Clark, Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Ekern, Emswiler, Findlater, Flynn, Freshman, Goodwin, Hess, Hoiness, Horrigan, James, Kirscher, Lambert, Lehrkind, Listug, Long, Longenecker, Loughran, Lowe, Malee, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Petersen, Roehl, Siegling, Smith, Spiegel, Stafford, Stevens, Sullivan, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck and Mr. Speaker. Total 68.

Noes: Aronson, Duncan, Kellogg, Potter and Rice. Total 5.

Absent and not voting: Acher, Byrne, Cannon, Cole (Petroleum), D'Ewart, Dunn, Friedl, Gebhardt, Green, Hageman, Hammond, Laubach, Leuthold, Liggett, Lippard, Lynch, Martin, Melin, Metlen, Parker (Wibaux), Parger (Flathead), Reed, Ryan, Scofield, Sorte, Stewart, Stromnes, Tyler and Woods. Total 29.

The Speaker appointed Smith of Lewis and Clark, Beadle of Silver Bow and Melin of Park to act as the House Conference Committee on Senate Amendments to House Bill No. 161.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Lehrkind in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Bill No. 147 be concurred in.

That Senate Joint Memorial No. 18 be concurred in.

That Senate Bills Nos. 42 and 181 be concurred in.

That Senate Joint Memorial No. 16 be concurred in.

That Senate Bills Nos. 164 and 173 be concurred in.

That Senate Joint Resolution No. 3 be not concurred in.

That Senate Joint Memorial No. 14 be concurred in.

That Senate Bill No. 108 be concurred in.

That consideration of Senate Bill No. 177 be passed for the day.

That Senate Joint Memorial No. 19 be concurred in.

That consideration of Senate Bill No. 58 be passed for the day.

That Senate Bill No. 74 be concurred in.

That consideration of Senate Bill No. 130 be passed for the day.

That Senate Bill No. 193 be referred to the Committee on Appropriations.

That Senate Bills Nos. 146, 188, 150 and 51 be concurred in.

LEHRKIND, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Stafford, duly seconded and carried, that Senate Bill No. 162 be taken from the Committee on Petroleum, Oil and Gas and referred to the Committee on Judiciary.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Wednesday, February 22nd, 1939, at 10:00 o'clock A. M.

D. M. MANNING,

Speaker.

J. P. BRENNAN, Chief Clerk.

FIFTY-SECOND DAY

House of Representatives,
Helena, Montana,
February 22, 1939.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following, who were excused: Acher, Gebhardt, O'Connor, Ryan, Smith, Tyler.

The following members, on the Special Investigating Committee to investigate State Boards and Offices, were excused, to perform the duties of such committee: Byrne, Moss (Flathead), Spiegel, Hoiness, Hess, O'Connor, Freshman, Baker, Leuthold, Ekern, Stromnes, Lowe, Watson, Malee, Lehrkind.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifty-first Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Dairying, having had under consideration Senate Bill No. 107, respectfully report as follows: That Senate Bill No. 107 be concurred in.

PETERSEN, Chairman.

Report adopted.

Mr. Speaker: We, a Majority of your Committee on Irrigation and Water Rights having had under consideration Senate Bill No. 201, respectfully report as follows: That Senate Bill No. 201 be concurred in.

KIRSCHER, Chairman.

BERTHOT,

CLARK,

FLYNN,

WILSON,

HAMMOND.

Mr. Speaker: We, a Minority of your Committee on Irrigation and Water Rights having had under consideration Senate Bill No. 201, respectfully report as follows: That Senate Bill No. 201 be not concurred in.

HORRIGAN,
ANDERSON (Phillips),
LONGENECKER,
BROWER,
MILES.

It was moved by Berthot, duly seconded, that the report of the Majority be adopted. On substitute motion, it was moved by Anderson of Phillips, duly seconded, that the report of the Minority be adopted. Motion, lost, whereupon motion to adopt Majority report carried.

Mr. Speaker: We, your Committee on Aviation having had under consideration Senate Bill No. 72, respectfully report as follows: That Senate Bill No. 72 be concurred in.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Aviation having had under consideration Senate Bill No. 195, respectfully report as follows: That Senate Bill No. 195 be concurred in.

MORRISON, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

Mr. Speaker: This is to advise you that the Governor has this day approved House Bill No. 54 by Byrne; House Bill No. 107 by Berthot, et al; House Bill No. 75 by Parker of Flathead; House Bill No. 26 by Goodwin and McGee, House Bill No. 138 by Reed, et al; House Bill No. 210 by Committee on Revenue and Taxation; House Bill No. 82 by the Judiciary Committee; Substitute House Bill No. 3 by the Committee on Mines and Mining; House Bill No. 145 by the Judiciary Committee and the same have been filed with the Secretary of State and copies thereof with the Clerk of the Supreme Court.

Respectfully yours,

JOHN J. JEWELL,

Secretary to the Governor.

MOTIONS AND RESOLUTIONS

It was moved by Ekern, duly seconded and carried, that the House reconsider its action on House Bill No. 282. Whereupon motion by Ekern, made yesterday, to recall House Bill No. 282 was put by the Speaker and lost.

It was moved by Brower, duly seconded, that the House reconsider its action on Senate Bill No. 79. A roll call to be entered in the Journal, was requested by the required number and motion was lost by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Balgord, Beadle, Beck, Bower, Brower, Byrne, Clark, Cole (Petroleum), DeDobbeleer, Dougherty, Dunn, Ekern, Emswiler, Goodwin, Hageman, James, Lambert, Laubach, Leuthold, Loughran, Martin, McKenna, McLeod, Miles, Newell, Parker (Flathead), Petersen, Potter, Sorte, Stafford, Stevens, Sullivan, Wilson, Woods, Zuck, Mr. Speaker. Total 38.

Noes: Acton, Antrim, Armstrong, Aronson, Berthot, Brown, Cole (Prairie), Daniel, D'Ewart, Duncan, Findlater, Flynn, Friedl, Green, Hammond, Heiness, Kellogg, Kirscher, Lehrkind, Liggett, Lippard, Listug, Long, Longenecker, Lowe, Lynch, McCarthy, McClain, McFatridge, McGee, Melin,

Morrison, Moss (Custer), Padbury, Parker (Wibaux), Reed, Rice, Roehl, Scofield, Siegling, Spiegel, Vanderbeck, Watson, Wenger, Williams, Bjorneby. Total 46.

Absent and not voting: Acher, Baker, Cannon, Collins, Freshman, Gebhardt, Hess, Horrigan, Malee, Metlen, Moss (Flathead), Murray, O'Connor, Ryan, Smith, Stewart, Stromnes, Tyler. Total 18.

It was moved by Hoiness, duly seconded and carried, that the House request the Honorable Senate to return Senate Bill No. 155 for further consideration.

It was moved by McLeod, duly seconded and carried, that the House request the Honorable Senate to return Senate Bill No. 207 for further consideration.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate did on this day accede to the request of the House for the return of Senate Bill No. 155, and the same is herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate did on this day accede to the request of the House for the return of Senate Bill No. 207, and which is herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate on this day, by motion duly adopted, requests the return of House Bill No. 186 for further consideration.

Respectfully,

GEORGE A. BURR,

Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Hoiness, duly seconded and carried, that the House reconsider its action on Senate Bill No. 155.

It was moved by Williams, duly seconded, that the House reconsider its action on Senate Bill No. 183. Motion lost.

It was moved by Brower, duly seconded and carried, that the House grant the request of the Honorable Senate for the return of House Bill No. 186.

It was moved by McLeod, duly seconded and carried, that Senate Bill No. 155 be placed on General Orders.

Speaker Pro Tem in the Chair.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 147 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Beadle, Berthot, Bjorneby, Bower, Brower, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Goodwin, Green, Hageman, Hammond, Hoiness, James, Kellogg, Kirscher, Lehrkind,

Liggett, Listug, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, Melin, Miles, Morrison, Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Sullivan, Vanderbeck, Wenger, Williams, Wilson, Woods, Zuck. Total 70.

Noes: Brown. Total 1.

Absent and not voting: Acher, Baker, Balgord, Beck, Byrne, D'Ewart, Freshman, Friedl, Gebhardt, Hess, Horrigan, Lambert, Laubach, Leuthold, Lippard, Long, Malee, McLeod, Metlen, Moss (Flathead), Moss (Custer), Murray, O'Connor, Parker (Flathead), Ryan, Smith, Stewart, Stromnes, Tyler, Watson, Mr. Speaker. Total 31.

Senate Bill No. 42 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beadle, Berthot, Bjorneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Goodwin, Green, Hageman, Hammond, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Listug, Long, Loughran, Lowe, Lynch, Martin, McCarthy, McFatridge, McGee, McKenna, Melin, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Petersen, Potter, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Sullivan, Wenger, Williams, Wilson, Zuck. Total 69.

Absent and not voting: Acher, Anderson (Cascade), Baker, Beck, Byrne, Cannon, Ekern, Freshman, Friedl, Gebhardt, Hess, Horrigan, Leuthold, Lippard, Longenecker, Malee, McClain, McLeod, Metlen, Moss (Flathead), Murray, O'Connor, Parker (Flathead), Reed, Ryan, Smith, Stewart, Stromnes, Tyler, Vanderbeck, Watson, Woods, Mr. Speaker. Total 33.

Senate Bill No. 181 was concurred in by the following vote:

Ayes: Acton, Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, Melin, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Petersen, Potter, Rice, Roehl, Siegling, Sorte, Spiegel, Stevens, Sullivan, Vanderbeck, Wenger, Williams, Wilson, Zuck. Total 70.

Noes: Stafford. Total 1.

Absent and not voting: Acher, Anderson (Phillips), Baker, Beck, Byrne, Dunn, Ekern, Freshman, Gebhardt, Hess, Hoiness, Horrigan, Leuthold, Longenecker, Malee, McLeod, Metlen, Moss (Flathead), Murray, O'Connor, Parker (Flathead), Reed, Ryan, Scofield, Smith, Stewart, Stromnes, Tyler, Watson, Woods, Mr. Speaker. Total 31.

Senate Bill No. 164 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Beadle, Berthot, Bjorneby, Bower, Brown, Cannon, Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Friedl, Goodwin, Green, Hammond, James, Kellogg, Lambert, Liggett, Listug, Loughran, Lowe, Lynch, Martin, McFatridge, McGee, Melin, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Potter, Rice, Roehl, Scofield, Sorte, Stafford, Stevens, Sullivan, Vanderbeck, Wenger, Williams, Wilson, Woods, Zuck. Total 52.

Noes: Balgord, Brower, Clark, Cole (Petroleum), Cole (Prairie), Duncan, Emswiler, Findlater, Flynn, Kirscher, Laubach, McClain, McKenna, Petersen. Total 14.

Absent and not voting: Acher, Antrim, Armstrong, Baker, Beck, Byrne, Ekern, Freshman, Gebhardt, Hageman, Hess, Hoiness, Horrigan, Lehrkind, Leuthold, Lippard, Long, Longenecker, Malee, McCarthy, McLeod, Metlen, Moss (Flathead), Murray, O'Connor, Parker (Flathead), Reed, Ryan, Siegling, Smith, Spiegel, Stewart, Stromnes, Tyler, Watson, Mr. Speaker. Total 36.

Senate Bill No. 173 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Armstrong, Aronson, Balgord, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Ekern, Emswiler, Findlater, Flynn, Goodwin, Green, Hageman, Hammond, Kellogg, Kirscher, Laubach, Lehrkind, Liggett, Lippard, Listug, Loughran, Lowe, Lynch, McCarthy, McClain, McFatrige, McKenna, McLeod, Miles, Newell, Padbury, Parker (Wibaux), Petersen, Potter, Rice, Roehl, Scofield, Sorte, Stafford, Wenger, Wilson, Woods, Zuck. Total 58.

Noes: Beadle, Cole (Prairie), Duncan, Friedl, Lambert, Long, Martin, McGee, Moss (Custer), Spiegel, Sullivan, Vanderbeck. Total 12.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Baker, Beck, Freshman, Gebhardt, Hess, Hoiness, Horrigan, James, Leuthold, Longenecker, Malee, Melin, Metlen, Morrison, Moss (Flathead), Murray, O'Connor, Parker (Flathead), Reed, Ryan, Siegling, Smith, Stevens, Stewart, Stromnes, Tyler, Watson, Williams, Mr. Speaker. Total 32.

Senate Bill No. 108 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Armstrong, Aronson, Balgord, Beadle, Bjorneby, Brower, Brown, Byrne, Clark, Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Lippard, Listug, Lowe, Lynch, Martin, McCarthy, McClain, McFatrige, McKenna, Melin, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Potter, Rice, Roehl, Scofield, Sorte, Stafford, Vanderbeck, Wenger, Williams, Wilson, Woods, Zuck. Total 62.

Noes: Bower, Cole (Petroleum), Long, McGee, Spiegel. Total 5.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Baker, Beck, Berthot, Cannon, Daniel, Freshman, Gebhardt, Hess, Horrigan, Leuthold, Liggett, Longenecker, Loughran, Malee, McLeod, Metlen, Moss (Flathead), Murray, O'Connor, Parker (Flathead), Petersen, Reed, Ryan, Siegling, Smith, Stevens, Stewart, Stromnes, Sullivan, Tyler, Watson, Mr. Speaker. Total 35.

Senate Bill No. 74 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Balgord, Beadle, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Lippard, Listug, Long, Lowe, Lynch, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Newell, Parker (Wibaux), Petersen, Potter, Rice, Scofield, Sorte, Spiegel, Stafford, Vanderbeck, Wenger, Williams, Wilson, Woods, Zuck. Total 69.

Absent and not voting: Acher, Antrim, Baker, Beck, Cannon, Freshman, Gebhardt, Hess, Hoiness, Horrigan, Leuthold, Liggett, Longenecker, Loughran, Malee, Metlen, Moss (Flathead), Murray, O'Connor, Padbury, Parker (Flathead), Reed, Roehl, Ryan, Siegling, Smith, Stevens, Stewart, Stromnes, Sullivan, Tyler, Watson, Mr. Speaker. Total 33.

Senate Bill No. 146 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Lippard, Listug, Long, Longenecker, Lynch, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Newell, Parker (Wibaux), Petersen, Potter, Rice, Scofield, Spiegel, Stafford, Stevens, Vanderbeck, Wenger, Williams, Woods, Zuck. Total 68.

Noes: Daniel. Total 1.

Absent and not voting: Acher, Baker, Beck, Cannon, Freshman, Gebhardt, Hess, Horrigan, Lehrkind, Leuthold, Loughran, Lowe, Malee, McFatridge, Metlen, Moss (Flathead), Murray, O'Connor, Padbury, Parker (Flathead), Reed, Roehl, Ryan, Siegling, Smith, Sorte, Stewart, Stromnes, Sullivan, Tyler, Watson, Wilson, Mr. Speaker. Total 33.

Senate Bill No. 188 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, James, Kellogg, Kirscher, Laubach, Lehrkind, Liggett, Lippard, Listug, Longenecker, Martin, McCarthy, McFatridge, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Petersen, Potter, Rice, Roehl, Ryan, Scofield, Sorte, Spiegel, Stafford, Stevens, Vanderbeck, Williams, Wilson, Woods, Zuck. Total 68.

Noes: Lambert, Long, McClain, McGee, Wenger. Total 5.

Absent and not voting: Acher, Baker, Beck, Cannon, Cole (Petroleum), Cole (Prairie), Freshman, Gebhardt, Hess, Horrigan, Leuthold, Loughran, Lowe, Lynch, Malee, Metlen, Moss (Flathead), Murray, O'Connor, Parker (Flathead), Reed, Siegling, Smith, Stewart, Stromnes, Sullivan, Tyler, Watson, Mr. Speaker. Total 29.

Senate Bill No. 150 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Balgord, Beadle, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Ekern, Emswiler, Findlater, Friedl, Goodwin, Green, Hageman, Hammond, James, Kellogg, Kirscher, Laubach, Lehrkind, Liggett, Lippard, Listug, Longenecker, Martin, McCarthy, McClain, McFatridge, McKenna, McLeod, Melin, Morrison, Newell, Padbury, Parker (Wibaux), Potter, Rice, Roehl, Scofield, Sorte, Spiegel, Stafford, Stevens, Vanderbeck, Wenger, Williams, Woods, Zuck. Total 63.

Noes: Duncan, Flynn, McGee, Wilson. Total 4.

Absent and not voting: Acher, Antrim, Baker, Beck, Cole (Prairie), Freshman, Gebhardt, Hess, Hoiness, Horrigan, Lambert, Leuthold, Long,

Loughran, Lowe, Lynch, Malee, Metlen, Miles, Moss (Flathead), Moss (Custer), Murray, O'Connor, Parker (Flathead), Petersen, Reed, Ryan, Siegling, Smith, Stewart, Stromnes, Sullivan, Tyler, Watson, Mr. Speaker. Total 35.

Senate Bill No. 51 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Beadle, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, James, Kirscher, Laubach, Liggett, Lippard, Listug, Long, Longenecker, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Parker (Wibaux), Potter, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Vanderbeck, Wenger, Williams, Woods. Total 63.

Noes: Aronson, Balgord, D'Ewart, Kellogg, Miles, Newell, Wilson, Zuck. Total 8.

Absent and not voting: Acher, Antrim, Armstrong, Baker, Beck, Cole (Petroleum), Freshman, Gebhardt, Hess, Horrigan, Lambert, Lehrkind, Leuthold, Loughran, Lowe, Malee, Metlen, Moss (Flathead), Murray, O'Connor, Padbury, Parker (Flathead), Petersen, Reed, Ryan, Stewart, Stromnes, Sullivan, Tyler, Watson, Mr. Speaker. Total 31.

Senate Joint Memorial No. 18 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Aronson, Balgord, Beadle, Bjerneby, Bower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, James, Liggett, Lippard, Longenecker, Loughran, Martin, McCarthy, McGee, McKenna, Melin, Miles, Morrison, Newell, Parker (Wibaux), Potter, Rice, Roehl, Siegling, Sorte, Spiegel, Vanderbeck, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 52.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Armstrong, Baker, Beck, Berthot, Brower, Cole (Prairie), Ekern, Findlater, Flynn, Freshman, Gebhardt, Hess, Horrigan, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Listug, Long, Lowe, Lynch, Malee, McClain, McFatridge, McLeod, Metlen, Moss (Flathead), Moss (Custer), Murray, O'Connor, Padbury, Parker (Flathead), Petersen, Reed, Ryan, Scofield, Smith, Stevens, Stewart, Stromnes, Sullivan, Tyler, Watson, Woods. Total 49.

Passed their vote: Stafford. Total 1.

Senate Joint Memorial No. 16 was concurred in by the following vote:

Ayes: Acton, Antrim, Armstrong, Balgord, Beadle, Berthot, Bjerneby, Bower, Brower, Brown, Cannon, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Kirscher, Lambert, Lehrkind, Liggett, Lippard, Long, Longenecker, Loughran, Lynch, Martin, McCarthy, McFatridge, McGee, McKenna, Melin, Miles, Morrison, Newell, Padbury, Parker (Flathead), Petersen, Potter, Rice, Roehl, Scofield, Siegling, Sorte, Wenger, Williams, Wilson, Zuck. Total 57.

Absent: Acher, Anderson (Phillips), Anderson (Cascade), Aronson, Baker, Beck, Byrne, Clark, Cole (Prairie), Ekern, Freshman, Gebhardt, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Laubach, Leuthold, Listug, Lowe, Malee, McClain, McLeod, Metlen, Moss (Flathead), Moss (Custer), Murray, O'Connor, Parker (Wibaux), Reed, Ryan, Smith, Spiegel,

Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Woods, Mr. Speaker. Total 44.

Passed their vote: Stafford. Total 1.

Senate Joint Memorial No. 14 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Balgord, Beadle, Beck, Bjorneby, Bower, Brower, Brown, Cannon, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Flynn, Friedl, Goodwin, Green, Hageman, Hoiness, Lambert, Laubach, Lehrkind, Liggett, Lippard, Long, Longenecker, Loughran, Lynch, Martin, McCarthy, McFatridge, McKenna, McLeod, Melin, Miles, Morrison, Newell, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Scofield, Siegling, Sorte, Spiegel, Williams, Wilson, Zuck. Total 56.

Absent and not voting: Acher, Anderson (Cascade), Aronson, Baker, Berthot, Byrne, Clark, Cole (Prairie), Ekern, Findlater, Freshman, Gebhardt, Hammond, Hess, Horrigan, James, Kellogg, Kirscher, Leuthold, Listug, Lowe, Malee, McClain, McGee, Metlen, Moss (Flathead), Moss (Custer), Murray, O'Connor, Padbury, Reed, Rice, Roehl, Ryan, Smith, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Woods, Mr. Speaker. Total 45.

Passed their vote: Stafford. Total 1.

Senate Joint Memorial No. 19 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hoiness, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Lippard, Long, Longenecker, Loughran, Lynch, Martin, McCarthy, McFatridge, McKenna, McLeod, Melin, Miles, Morrison, Newell, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Rice, Scofield, Siegling, Sorte, Stevens, Sullivan, Wenger, Williams, Wilson. Total 63.

Absent and not voting: Acher, Anderson (Cascade), Aronson, Baker, Cole (Prairie), Ekern, Freshman, Gebhardt, Hammond, Hess, Horrigan, James, Kellogg, Leuthold, Listug, Lowe, Malee, McClain, McGee, Metlen, Moss (Flathead), Moss (Custer), Murray, O'Connor, Padbury, Reed, Roehl, Ryan, Smith, Spiegel, Stewart, Stromnes, Tyler, Vanderbeck, Watson, Woods, Zuck, Mr. Speaker. Total 38.

Passed their vote: Stafford. Total 1.

Mr. Speaker in the Chair.

MOTIONS AND RESOLUTIONS

It was moved by Longenecker, duly seconded, that Senate Bill No. 207 be taken from the table. A call of the House was ordered by the required number. After due progress made, on motion, duly seconded and carried, Call of the House was dispensed with. A roll call, to be entered in the Journal, was requested by the required number and motion to take Senate Bill No. 207 from the table carried by the necessary two-thirds vote, as follows:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Balgord, Beadle, Beck, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Collins, Daniel, DeDobbeleer, Duncan, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Goodwin, Hageman, Hammond, Hess, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Listug, Long, Longenecker, Lynch, Martin, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer),

Newell, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Scofield, Spiegel, Stafford, Stevens, Vanderbeck, Watson, Wilson, Woods, Zuck. Total 68.

Noes: Berthot, D'Ewart, Dougherty, Dunn, Green, Hoiness, Lehrkind, Lippard, Loughran, Lowe, McCarthy, Roehl, Siegling, Sullivan, Wenger, Williams Total 16.

Absent and not voting: Acher, Armstrong, Baker, Cole (Petroleum), Cole (Prairie), Gebhardt, Horrigan, Malee, Murray, O'Connor, Padbury, Ryan, Smith, Sorte, Stewart, Stromnes, Tyler, Mr. Speaker. Total 18.

It was moved by McLeod, duly seconded and carried, that action on Senate Bill No. 207 be reconsidered.

It was moved by McLeod, duly seconded and carried, that Senate Bill No. 207 be placed on General Orders.

The following resolution was adopted:

House Resolution No. 2: Introduced by Yellowstone County Delegation: A Resolution extending the sympathy of the House of Representatives of the Twenty-sixth Legislative Assembly to the Honorable Ralph Gebhardt on the death of his brother.

Whereas, it has been learned by the members of the House of Representatives of the Twenty-sixth Legislative Assembly that death has come to a brother of one of our friends, the Honorable Ralph Gebhardt, and

Whereas, we all participate in the sorrow which has come to our colleague,

NOW THEREFORE BE IT RESOLVED, that we, the members of the House of Representatives of the Twenty-sixth Legislative Assembly in a body assembled do hereby extend our sincere sympathy to our friend Ralph Gebhardt, and his family on the occasion of their bereavement, and

BE IT FURTHER RESOLVED, that the Speaker of the House of Representatives convey this, our expression of sympathy, to the Honorable Ralph Gebhardt.

HOINESS.
McFATRIDGE,
HAMMOND,
WILLIAMS.

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Bills Nos. 165 and 164.

ANTRIM, Chairman.

Report adopted.

I have examined House Bill No. 165 introduced by me and find the same to be correct.

HAMMOND

I have examined House Bill No. 164 introduced by me and find the same to be correct.

HAMMOND.

The Speaker signed the following in Open Session: House Bills Nos. 165 and 164.

It was moved by Lippard, duly seconded and carried, that the Honorable Senate be invited to attend the Washington Day Address at 2:30 P. M.

It was moved by McLeod, duly seconded and carried, that the House recess until 2:30 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

A Washington Day Program was given by the Entertainment Committee. Honorable Walter S. Hartman of Bozeman, Montana, gave the main address before a joint meeting of the House and Senate in informal session.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We your Committee on Military Affairs having had under consideration Senate Joint Memorial No. 13, respectfully report as follows: That Senate Joint Memorial No. 13 be concurred in.

SORTE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration Senate Bill No. 202, respectfully report as follows: That Senate Bill No. 202 be concurred in.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration House Memorial No. 2, respectfully report as follows: That House Memorial No. 2 do pass.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation having had under consideration Substitute Senate Bill No. 209, respectfully report as follows: That Substitute Senate Bill No. 209, be amended as follows:

By striking out on Page 2, beginning with line 20 after the word "farm" the following: "or the casual, occasional transportation of passengers or property not exceeding twenty-five (25) times per year by any person not engaged in transportation by motor vehicle as a regular occupation of business," and that as amended Substitute Senate Bill No. 209 be concurred in.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Water Conservation and Flood Control having had under consideration Senate Bill No. 144, respectfully report as follows: That Senate Bill No. 144 be concurred in.

PARKER (Wibaux), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Water Conservation and Flood Control having had under consideration Senate Joint Resolution No. 4, respectfully report as follows: That Senate Joint Resolution No. 4 be not concurred in.

PARKER (Wibaux), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Rights having had under consideration Senate Bill No. 149, respectfully report as follows: That Senate Bill No. 149 be amended as follows:

In line 8 of Section 1, by striking out the word "ten" and inserting in lieu thereof the words "twenty-five." And, as amended, be concurred in.

KIRSCHER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration Senate Bill No. 193, respectfully report as follows: That Senate Bill No. 193 be not concurred in.

DOUGHERTY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges having had under consideration Senate Bill No. 168, respectfully report as follows: That Senate Bill No. 168 be not concurred in.

RICE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices having had under consideration Senate Bill No. 161, respectfully report as follows: That Senate Bill No. 161 be concurred in.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices having had under consideration Senate Bill No. 77, respectfully report as follows: That Senate Bill No. 77 be concurred in.

FRIEDL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs having had under consideration Senate Bill No. 37, respectfully report as follows: That Senate Bill No. 37 be amended as follows:

Section 1. Subsection E by striking out after the word "Act" the comma and the words "and this certificate shall not be transferrable as to person or place" and substituting therefore a period and the following. Nothing in this Act shall prohibit the employment in a licensed beauty shop of a licensed barber, nor a licensed barber from being so employed.

And in Subsection G in striking out the entire subsection and lettering the following subsections accordingly. Be concurred in as amended.

LYNCH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs having had under consideration Substitute Senate Bill No. 53, respectfully report as follows: That Substitute Senate Bill No. 53 be concurred in.

LYNCH, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration Senate Bill No. 76, respectfully report as follows: That Senate Bill No. 76 be concurred in.

TYLER, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 233 having failed in concurrence on Third Reading, is herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 213, 105, 87, 192, 43, 42, 36, House Joint Memorial No. 17, House Joint Memorial No. 16, House Bill No. 241, House Bills Nos. 220, 260, 272, 289, 338, 335, 292, 344, 345, 346, 409, 422, having been read three several times, and title and history agreed to, and concurred in, are herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 217, 11, and 182, having been read three several times and concurred in as amended, are herewith returned to the House for concurrence to Senate Amendments.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 155, 191, 205, 179, Substitute House Bill No. 128 and House Bills Nos. 206, 104, 293, 405, having on this day failed in concurrence in the Senate the same are herewith returned to the House.

Respectfully,

GEORGE A. BURR,

Secretary of the Senate.

The Speaker signed the following in Open Session: Senate Bills Nos. 70, 78, 65, 14, 105, 45, 10, 17, 32, 112 and 90.

MOTIONS AND RESOLUTIONS

It was moved by Kirscher, duly seconded and carried, that consideration of Senate Bill No. 201 be passed for the day.

It was moved by Cannon, duly seconded and carried, that consideration of Senate Bill No. 177 be passed for the day.

It was moved by Stromnes, duly seconded and carried, that Senate Bill No. 207 be made a Special Order of Business on General Orders, Friday, February 24th, 1939, right after consideration of House Bill No. 96.

It was moved by Sullivan, duly seconded and carried, that Senate Bill No. 130 be taken from General Orders and re-referred to the Judiciary Committee.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Morrison in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following recommend:

That Senate Bill No. 58 be concurred in.

That consideration of Senate Bill No. 107 be passed for the day.

That Senate Bills Nos. 72, 195, 155, and 202 be concurred in.

That Senate Joint Memorial No. 13 be concurred in.

That Substitute Senate Bill No. 209 be concurred in.

That consideration of Senate Bill No. 144 be passed for the day.

MORRISON, Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Thursday, February 23rd, 1939, at 10:00 o'clock.

D. M. MANNING,

Speaker.

J. P. BRENNAN, Chief Clerk.

FIFTY-THIRD DAY

House of Representatives,
Helena, Montana,
February 23rd, 1939.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Acher, Baker, Freshman, O'Connor, Ryan, Stromnes.

The following members, on the Special Investigating Committee to investigate State Boards and Offices, were excused, to perform the duties of such Committee: Byrne, Moss (Flathead), Spiegel, Hoiness, Hess, O'Connor, Freshman, Baker, Leuthold, Ekern, Stromnes, Lowe, Watson, Malee, Lehrkind.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifty-second Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF SPECIAL COMMITTEES

Mr. Speaker: We, your Joint Conference Committee, appointed to consider Senate Amendments to House Bill No. 140, respectfully report that your Conference Committee is unable to agree and request that your Committee be discharged and a new Committee appointed, and a new committee requested from the Senate.

LEUTHOLD,
GOODWIN,
ROEHL.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate requests the return of House Bill No. 405, for further consideration.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that it was moved by Senator Plank, duly seconded and carried, that the President appoint a Conference Committee to confer with a like committee from the House for the consideration of Senate amendments to House Bill No. 161. Thereupon the President appointed the following Senators to act as such Conference Committee: Senators Alvord, Campbell (Missoula), Lamp.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Antrim, duly seconded and carried, that the request of the Honorable Senate for the return of House Bill No. 405 be complied with.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 58 was concurred in by the following vote:

Ayes: Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Byrne, Clark, Cole

(Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hess, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Lowe, Lynch, Martin, McCarthy, McClain, McKenna, McLeod, Miles, Morrison, Padbury, Parker (Wibaux), Petersen, Potter, Rice, Roehl, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Woods, Zuck, Mr. Speaker. Total 71.

Noes: Acton, Scofield, Wilson. Total 3.

Absent and not voting: Acher, Anderson (Cascade), Baker, Brown, Cannon, Cole (Prairie), Freshman, Gebhardt, Hoiness, Horrigan, James, Lambert, Lippard, Loughran, Malee, McFatridge, McGee, Melin, Metlen, Moss (Flathead), Moss (Custer), Murray, O'Connor, Parker (Flathead), Reed, Ryan, Stromnes. Total 27.

Passed their vote: Newell. Total 1.

Senate Bill No. 72 was concurred in by the following vote:

Ayes: Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, Kellogg, Kirscher, Lambert, Lehrkind, Liggett, Listug, Longenecker, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Wilson, Woods, Zuck, Mr. Speaker. Total 77.

Noes: Acton, Long. Total 2.

Absent and not voting: Acher, Anderson (Cascade), Baker, Cannon, Cole (Prairie), Flynn, Freshman, Gebhardt, Hess, Horrigan, James, Laubach, Leuthold, Lippard, Loughran, Malee, McGee, Metlen, Moss (Flathead), O'Connor, Ryan, Stromnes, Williams. Total 23.

Senate Bill No. 195 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, Dougherty, Dunn, Ekern, Emswiler, Findlater, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, Kellogg, Kirscher, Laubach, Lehrkind, Liggett, Listug, Long, Loughran, Martin, McCarthy, McClain, McFatridge, McKenna, Melin, Miles, Morrison, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Roehl, Scofield, Siegling, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Wilson, Woods, Zuck, Mr. Speaker. Total 68.

Noes: Duncan, Flynn, Lynch, Petersen. Total 4.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Baker, Cannon, Cole (Prairie), D'Ewart, Freshman, Gebhardt, Hess, Horrigan, James, Lambert, Leuthold, Lippard, Longenecker, Lowe, Malee, McGee, McLeod, Metlen, Moss (Flathead), Moss (Custer), Murray, O'Connor, Ryan, Smith, Sorte, Stromnes, Williams. Total 30.

Senate Bill No. 155 was concurred in by the following vote:

Ayes: Anderson (Phillips), Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon,

Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, Dougherty, Dunn, Ekern, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Listug, Long, Loughran, Lynch, Martin, McClain, McFatridge, McKenna, Melin, Metlen, Miles, Morrison, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 74.

Noes: Acton. Total 1.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Cole (Prairie), D'Ewart, Duncan, Freshman, Gebhardt, Hess, Horrigan, Leuthold, Lippard, Longenecker, Lowe, Malee, McCarthy, McGee, McLeod, Moss (Flathead), Moss (Custer), Murray, O'Connor, Ryan, Smith, Sorte, Stromnes, Vanderbeck. Total 27.

Senate Bill No. 202 failed to be concurred in by the following vote:

Ayes: Anderson (Phillips), Balgord, Beadle, Beck, Bjorneby, Bower, Brown, Byrne, Cannon, D'Ewart, Friedl, Goodwin, Green, Hageman, Hammond, Kirscher, Liggett, Long, Loughran, Lowe, Miles, Parker (Wibaux), Parker (Flathead), Petersen, Scofield, Stafford, Watson, Wenger, Williams, Siegling, Mr. Speaker. Total 31.

Noes: Acton, Aronson, Berthot, Brower, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, Dougherty, Dunn, Ekern, Emswiler, Findlater, Flynn, Hoiness, James, Kellogg, Lambert, Laubach, Lehrkind, Longenecker, Lynch, Martin, McClain, McFatridge, McKenna, Melin, Morrison, Moss (Custer), Newell, Potter, Reed, Rice, Roehl, Sorte, Spiegel, Stevens, Stewart, Sullivan, Tyler, Wilson, Woods, Zuck. Total 44.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Armstrong, Baker, Cole (Prairie), Duncan, Freshman, Gebhardt, Hess, Horrigan, Leuthold, Lippard, Listug, Malee, McCarthy, McGee, McLeod, Metlen, Moss (Flathead), Murray, O'Connor, Padbury, Ryan, Smith, Stromnes, Vanderbeck. Total 27.

Substitute Senate Bill No. 209 was not concurred in by the following vote:

Ayes: Antrim, Beadle, Bjorneby, Bower, Brown, Daniel, Emswiler, Flynn, Goodwin, Green, Lambert, Long, Loughran, McCarthy, McClain, Parker (Wibaux), Petersen, Wenger, Mr. Speaker. Total 19.

Noes: Acton, Anderson (Phillips), Armstrong, Aronson, Balgord, Beck, Berthot, Brower, Byrne, Cannon, Clark, Cole (Petroleum), Collins, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Findlater, Friedl, Hageman, Hammond, Hoiness, James, Kellogg, Kirscher, Laubach, Lehrkind, Liggett, Longenecker, Lowe, Martin, McFatridge, McKenna, Melin, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Flathead), Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Watson, Williams, Wilson, Woods, Zuck. Total 59.

Absent and not voting: Acher, Anderson (Cascade), Baker, Cole (Prairie), DeDobbeleer, Freshman, Gebhardt, Hess, Horrigan, Leuthold, Lippard, Listug, Lynch, Malee, McGee, McLeod, Metlen, Moss (Flathead), Murray, O'Connor, Ryan, Smith, Stromnes, Vanderbeck. Total 24.

Senate Joint Memorial No. 13 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bower, Brower, Byrne, Clark, Cole (Petroleum), DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler.

Findlater, Flynn, Goodwin, Green, Hageman, Hammond, Hoiness, Kellogg, Kirscher, Lambert, Laubach, Liggett, Longenecker, Lowe, Martin, McClain, McFatridge, McKenna, Melin, Miles, Newell, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Stevens, Stewart, Tyler, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 62.

Noes: Bjorneby, Brown, Cannon, Daniel, James, Lynch, Sullivan, Watson. Total 8.

Absent and not voting: Acher, Anderson (Cascade), Baker, Cole (Prairie), Collins, Freshman, Gebhardt, Hess, Horrigan, Lehrkind, Leuthold, Lippard, Listug, Long, Loughran, Malee, McCarthy, McGee, McLeod, Metlen, Morrison, Moss (Flathead), Moss (Custer), Murray, O'Connor, Padbury, Ryan, Spiegel, Stromnes, Vanderbeck, Woods. Total 31.

Passed their vote: Stafford. Total 1.

CONSIDERATION OF GENERAL ORDERS

It was moved by Hoiness, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

Rice in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That consideration of Senate Bill No. 177 be passed for the day.

That Senate Bill No. 201 be concurred in.

That Senate Bill No. 107 be amended as follows.

Amend Section 5 by inserting in line 12 after the word "weight" the words "and date of grading."

Amend Section 9 by inserting in line 4 after the words "retail dealers" the words and figures "who handle more than twenty-five (25) cases of eggs per month"; and as amended, be concurred in.

That Senate Bill No. 149 be amended as follows:

Amend Section 1, line 34 by inserting after the word "proportionate" the word "share"; and as amended, be concurred in.

That Senate Bills Nos. 161, 77 and 76 be concurred in.

That Senate Bill No. 144 be concurred in.

That Senate amendments to House Bills Nos. 11, 217 and 182 be concurred in.

That Substitute Senate Bill No. 53 be amended as follows:

Amend Section 8 by striking out in line 13 of the original bill the words "herein shall be construed to prevent" and insert in lieu thereof the words "in this Act shall apply to"; and in line 13 strike out the word "from" and in line 15 strike out the word "nor" and insert in lieu thereof the word "or"; and as amended be concurred in.

RICE, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by Cannon, duly seconded, that Senate Bill No. 177 be taken from General Orders and re-referred to the Committee on Affairs of Cities. On substitute motion, it was moved by Stromnes, duly seconded and carried, that Senate Bill No. 177 be referred to the Committee on Rules, Joint Rules and Order of Business.

It was moved by Lehrkind, duly seconded and carried, that House Memorial No. 2 be considered printed and placed on General Orders.

It was moved by Hoiness, duly seconded and carried, that House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

The Speaker appointed Morrison, Armstrong and Sorte as the Conference Committee to act with a like committee from the Senate on Senate Amendments to Substitute House Bill No. 140.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate does, on this day, on motion duly adopted, request the return of House Bill No. 241 for further consideration.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate does, on this day, on motion duly adopted, request the return of House Bill No. 205 for further consideration.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate did, on this day, at 11:30 A. M., make a special order of business at that time for the consideration of House amendments to Senate Bill No. 5. Upon roll call the Senate voted not to concur in the said amendments and the President thereupon appointed the following Conference Committee to confer with a like committee that the Senate requested to be appointed by the House: Senators, Drumheller, Bateman and Woods (Judith Basin).

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by McLeod, duly seconded and carried, that the House accede to the request of the Senate for a new conference committee on House Amendments to Senate Bill No. 5.

It was moved by Antrim, duly seconded and carried, that Senate Bill No. 144 be taken from Third Reading and placed on General Orders.

It was moved by McLeod, duly seconded and carried, that the House grant the request of the Honorable Senate for the return of House Bill No. 205.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Social Security having had under consideration Senate Joint Memorial No. 17, respectfully report as follows: That Senate Joint Memorial No. 17 be not concurred in.

BYRNE, Chairman.

Report adopted.

REPORTS OF SPECIAL COMMITTEES

Mr. Speaker: We, your Conference Committee appointed to confer with a like committee from the Honorable Senate on House Bill No. 161, beg leave to report as follows:

That the said amendment to House Bill No. 161 which reads as follows:

"Amend Section 8 after line seven by adding 'any woman may be excused on her own motion because of sex' be stricken, and by adding in lieu thereof the following:

"Amend Section 8 by adding a new paragraph after line 8 which will read as follows:

"Any woman may be excused upon request for the entire court term providing said request is made to the District Judge three days prior to the beginning of the court term for which she was selected to act as a juror."

That the above amendment will simply delete from the bill the first amendment added by the Honorable Senate and that the amendment your Conference Committee has agreed upon will take its place, and that no other part of said House Bill No. 161 will be changed.

We further report that the Conference Committees of both the Honorable Senate and the Honorable House have agreed upon said amendment, and recommend that said amendment be concurred in.

Respectfully submitted,

SMITH,
MELIN,
BEADLE.

For the House.

ALVORD,
LAMP,
CAMPBELL (Missoula),

For the Senate.

Conference Committee report on Senate Amendments to House Bill No. 161 was adopted by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Balgord, Beadle, Berthot, Bjorneby, Bower, Brower, Collins, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, James, Lambert, Liggett, Lippard, Listug, Long, Longenecker, Lowe, Lynch, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Parker (Flathead), Reed, Rice, Roehl, Siegling, Smith, Stafford, Stevens, Stromnes, Sullivan, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 64.

Noes: Aronson, Beck, Byrne, Clark, Cole (Petroleum), Kellogg, Kirscher, Petersen, Potter, Scofield, Spiegel, Tyler, Vanderback. Total 13.

Absent and not voting: Acher, Baker, Brown, Cannon, Daniel, D'Ewart, Findlater, Freshman, Gebhardt, Hess, Horrigan, Laubach, Lehrkind, Leuthold, Loughran, Malee, Metlen, Miles, Moss (Flathead), Murray, O'Connor, Ryan, Sorte, Stewart. Total 24.

Passed their vote: Cole (Prairie). Total 1.

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following bill correctly enrolled: House Bill No. 345.

COLE (Prairie), Vice-chairman.

Report adopted.

I have examined House Bill No. 345 introduced by me and find the same to be correct.

BYRNE, Vice-chairman.

Report adopted.

The Speaker signed House Bill No. 345 in Open Session.

Speaker Pro tem in the Chair.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 201 was concurred in by the following vote:

Ayes: Acton, Antrim, Armstrong, Balgord, Beadle, Beck, Berthot, Bjerneby, Brower, Byrne, Cole (Petroleum), Collins, Dougherty, Dunn, Ekern, Emswiler, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, James, Kirscher, Liggett, Listug, Long, Lowe, Lynch, Martin, McCarthy, McClain, McFatrige, McGee, Melin, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Roehl, Spiegel, Stafford, Stevens, Vanderbeck, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 56.

Noes: Anderson (Phillips), Anderson (Cascade), Bower, Clark, DeDobbeleer, Duncan, Horrigan, Kellogg, Lippard, Longenecker, McKenna, McLeod, Miles, Petersen, Scofield, Siegling, Sorte, Stewart, Stromnes, Tyler, Watson. Total 21.

Absent and not voting: Acher, Aronson, Baker, Brown, Cannon, Cole (Prairie), Daniel, D'Ewart, Findlater, Freshman, Gebhardt, Hess, Lambert, Laubach, Lehrkind, Leuthold, Loughran, Malee, Metlen, Moss (Flathead), O'Connor, Ryan, Smith, Sullivan. Total 24.

Passed their vote: Flynn. Total 1.

Senate Bill No. 149 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Balgord, Beadle, Berthot, Bjerneby, Bower, Brower, Byrne, Cannon, Clark, Cole (Petroleum), Collins, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Friedl, Goodwin, Green, Hageman, Horrigan, James, Kellogg, Kirscher, Liggett, Lippard, Listug, Long, Longenecker, Lowe, Lynch, Martin, McCarthy, McClain, McFatrige, McKenna, McLeod, Melin, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 71.

Noes: McGee. Total 1.

Absent and not voting: Acher, Armstrong, Baker, Beck, Brown, Cole (Prairie), Daniel, D'Ewart, Findlater, Flynn, Freshman, Gebhardt, Hammond, Hess, Hoiness, Lambert, Laubach, Lehrkind, Leuthold, Loughran, Malee, Metlen, Miles, Morrison, Moss (Flathead), O'Connor, Ryan, Smith, Stromnes, Sullivan. Total 30.

Senate Bill No. 161 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Cannon, Clark, Cole (Petroleum), Collins, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Horrigan, James, Kellogg, Liggett, Listug, Long, Longenecker, Lowe, Lynch, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Miles, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck. Total 71.

Absent and not voting: Acher, Antrim, Armstrong, Baker, Brown, Byrne, Cole (Prairie), Daniel, D'Ewart, Findlater, Freshman, Gebhardt,

Hess, Hoiness, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Lippard, Loughran, Malee, Metlen, Morrison, Moss (Flathead), O'Connor, Ryan, Stewart, Stromnes, Sullivan, Mr. Speaker. Total 31.

Senate Bill No. 77 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Aronson, Balgord, Beadle, Berthot, Bjorneby, Bower, Brower, Cannon, Clark, Collins, DeDobbeleer, Duncan, Dunn, Ekern, Emswiler, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Horrigan, James, Kellogg, Liggett, Listug, Long, Longenecker, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Siegling, Smith, Spiegel, Stafford, Stevens, Stromnes, Tyler, Wenger, Williams, Wilson, Woods, Zuck. Total 60.

Noes: Cole (Petroleum), Lambert, Lowe, Miles, Newell, Rice, Scofield, Sorte, Watson. Total 9.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Armstrong, Baker, Beck, Brown, Byrne, Cole (Prairie), Daniel, D'Ewart, Dougherty, Findlater, Freshman, Gebhardt, Hess, Hoiness, Kirscher, Laubach, Lehrkind, Leuthold, Lippard, Loughran, Lynch, Malee, Metlen, Moss (Flathead), O'Connor, Ryan, Stewart, Sullivan, Vanderbeck, Mr. Speaker. Total 33.

Senate Bill No. 76 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Cannon, Cole (Petroleum), Collins, DeDobbeleer, Dougherty, Duncan, Dunn, Emswiler, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Lambert, Liggett, Listug, Long, Longenecker, Lowe, Martin, McCarthy, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Smith, Sorte, Spiegel, Stevens, Stewart, Tyler, Watson, Wenger, Williams, Wilson, Woods, Zuck. Total 68.

Noes: Clark, Siegling, Stafford. Total 3.

Absent and not voting: Acher, Antrim, Armstrong, Baker, Brown, Byrne, Cole (Prairie), Daniel, D'Ewart, Ekern, Findlater, Freshman, Gebhardt, Hess, Kirscher, Laubach, Lehrkind, Leuthold, Lippard, Loughran, Lynch, Malee, McClain, Metlen, Moss (Flathead), O'Connor, Ryan, Stromnes, Sullivan, Vanderbeck, Mr. Speaker. Total 31.

Senate Bill No. 107 was concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Beadle, Beck, Bjorneby, Bower, Brower, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Flynn, Friedl, Goodwin, Hammond, Hoiness, James, Kellogg, Liggett, Lippard, Listug, Long, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Sorte, Spiegel, Stevens, Stewart, Tyler, Watson, Wenger, Williams, Zuck. Total 53.

Noes: Acton, Balgord, Clark, Cole (Petroleum), Collins, Findlater, Green, Hageman, Horrigan, Longenecker, Lowe, Melin, Miles, Morrison, Rice, Scofield, Stafford, Wilson, Woods. Total 19.

Absent and not voting: Acher, Baker, Berthot, Brown, Byrne, Cannon, Cole (Prairie), Daniel, Ekern, Freshman, Gebhardt, Hess, Kirscher,

Lambert, Laubach, Lehrkind, Leuthold, Loughran, Lynch, Malee, Metlen, Moss (Flathead), O'Connor, Ryan, Siegling, Smith, Stromnes, Sullivan, Vanderbeck, Mr. Speaker. Total 30.

Substitute Senate Bill No. 53 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), DeDobbeleer, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Goodwin, Hageman, Hammond, Hoiness, Horrigan, Kellogg, Kirscher, Lambert, Lehrkind, Liggett, Lippard, Listug, Long, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, Melin, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Scofield, Spiegel, Stafford, Stevens, Stewart, Watson, Williams, Woods, Zuck, Mr. Speaker. Total 68.

Noes: Anderson (Cascade), Collins, D'Ewart, Green, McLeod, Miles, Parker (Flathead), Sorte. Total 8.

Absent and not voting: Acher, Armstrong, Baker, Cannon, Cole (Prairie), Daniel, Ekern, Gebhardt, Hess, James, Laubach, Leuthold, Longenecker, Malee, Metlen, Moss (Flathead), O'Connor, Ryan, Siegling, Smith, Stromnes, Sullivan, Tyler, Vanderbeck, Wenger, Wilson. Total 26.

Senate amendments to House Bill No. 182 were concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, James, Kellogg, Kirscher, Lambert, Lehrkind, Liggett, Lippard, Listug, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, Melin, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Scofield, Sorte, Spiegel, Stevens, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck. Total 71.

Noes: Horrigan. Total 1.

Absent and not voting: Acher, Baker, Balgord, Cannon, Cole (Petroleum), Cole (Prairie), Daniel, Ekern, Freshman, Gebhardt, Hess, Laubach, Leuthold, Long, Longenecker, Malee, McLeod, Metlen, Moss (Flathead), Murray, O'Connor, Parker (Flathead), Ryan, Siegling, Smith, Stafford, Stromnes, Sullivan, Mr. Speaker. Total 29.

Passed their vote: Acton. Total 1.

Senate amendments to House Bill No. 217 were concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Listug, Loughran, Lowe, Lynch, McCarthy, McClain, McFatridge, McKenna, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Scofield, Sorte, Spiegel, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck. Total 75.

Noes: Clark. Total 1.

Absent and not voting: Acher, Anderson (Cascade), Baker, Daniel, Ekern, Freshman, Gebhardt, Hess, Hoiness, Leuthold, Lippard, Long, Longenecker, Malee, Martin, McLeod, Moss (Flathead), O'Connor, Parker (Flathead), Ryan, Siegling, Smith, Stromnes, Sullivan, Mr. Speaker. Total 25.

Passed their vote: McGee. Total 1.

Senate amendments to House Bill No. 11 were concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, Melin, Metlen, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Scofield, Stevens, Stewart, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Zuck. Total 72.

Noes: Long. Total 1.

Absent and not voting: Acher, Baker, Byrne, Cannon, Cole (Prairie), Daniel, Ekern, Freshman, Gebhardt, Hess, James, Leuthold, Longenecker, Malee, McLeod, Moss (Flathead), Murray, O'Connor, Parker (Flathead), Ryan, Siegling, Smith, Sorte, Spiegel, Stafford, Stromnes, Vanderbeck, Woods, Mr. Speaker. Total 29.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Conference Committee, having had under consideration Senate Amendments to House Bill No. 197, recommend as follows:

That the Senate recede from its amendment to Section 1, that the bill be restored to its original wording, that the period be stricken out after the word, "necessary" in line 3 of the original bill, and line 5 of the printed bill, that a comma be substituted for the period and the following words be added: "subject to existing laws".

That Senate amendment to Section 11 be concurred in.

That the Senate recede from its amendment to Section 13 by striking out the Senate amendments and restoring Section 13 to its original wording in line 9 and line 10 in the printed bill and line 22 Page 9 of the original bill. Your Conference Committee further recommends that Section 13 be amended by striking the period after the word "package" in line 13 on Page 7 of the printed bill, and adding the following: "or to commodities or articles of merchandise in packages or containers which are sold by the aggregate net weight of the contents thereof."

That Senate amendment to Section 22 be concurred in.

That Senate amendment to Section 30 be concurred in.

BECK,
TYLER,
PARKER (Flathead).

For the House.

WOODS (Judith Basin),
McQUITTY,
ANGVICK,

For the Senate.

Conference Committee report on Senate Amendments to House Bill No. 197 was adopted by the following vote:

Ayes: Acton, Anderson (Phillips), Armstrong, Aronson, Balgord, Beadle, Beck, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Laubach, Liggett, Lippard, Listug, Longenecker, Loughran, Lynch, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Scofield, Smith, Spiegel, Stafford, Stevens, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Zuck. Total 71.

Noes: Long. Total 1.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Baker, Berthot, Cannon, Daniel, D'Ewart, Ekern, Freshman, Gebhardt, Hess, Kirscher, Lambert, Lehrkind, Leuthold, Lowe, Malee, Martin, Moss (Flathead), O'Connor, Parker (Flathead), Ryan, Siegling, Sorte, Stewart, Stromnes, Vanderbeck, Woods, Mr. Speaker. Total 30.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary having had under consideration Senate Bill No. 172, respectfully report as follows: That Senate Bill No. 172 be concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration Senate Bill No. 117, respectfully report as follows: That Senate Bill No. 117 be not concurred in.

STROMNES, Chairman.

It was moved by Stromnes, duly seconded, that the report of the committee be adopted. On substitute motion, it was moved by McLeod, duly seconded and carried, that Senate Bill No. 117 be placed on General Orders.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary having had under consideration Senate Bill No. 156, respectfully report as follows: That Senate Bill No. 156 be amended as follows:

By striking the following words on page 2, Section 2, beginning at the middle of line 1.

"Neither such submission and filing, nor failure to require such submission and filing, shall constitute evidence of malice, within the meaning of Section One of this Act."

and as amended, be concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary having had under consideration Senate Bill No. 211, respectfully report as follows: That Senate Bill No. 211, be concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Bills Nos. 126, 335, 292, House Joint Memorial No. 16.

COLE (Prairie), Vice-chairman.

Report adopted.

I have examined House Bill No. 335 introduced by me and find the same to be correct.

COLE (Petroleum).

I have examined House Joint Memorial No. 16 introduced by me and find the same to be correct.

LAMBERT.

I have examined House Bill No. 292 introduced by me and find the same to be correct.

BERTHOT.

I have examined House Bill No. 126 introduced by me and find the same to be correct.

DeDOBBELEER.

The Speaker signed the following in Open Session: Senate Joint Resolution No. 5, Senate Bill No. 171, Senate Joint Memorials Nos. 6, 7, 8, 10, Senate Bills Nos. 19, 98, 103, 129, 139, 186, 152, House Joint Memorial No. 16, House Bills Nos. 126, 335, and 292.

CONSIDERATION OF GENERAL ORDERS

It was moved by Hoiness, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Antrim, in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Bills Nos. 172, 156, and 211 be concurred in.

That Senate Bill No. 37 be amended as follows: Amend by striking out the House Committee on Public Health and Sanitary Affairs amendment in Section 1, relating to Sub-section E and as amended be concurred in.

ANTRIM, Chairman.

Report adopted.

The Speaker appointed Sorte, Lehrkind and Longenecker as the Conference Committee to act with a like committee from the Senate on House Amendments to Senate Bill No. 5.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following House Bills correctly enrolled: 338, 422, 346, 260.

COLE (Prairie), Vice-chairman.

Report adopted.

I have examined House Bill No. 260 introduced by me and find the same to be correct.

LIPPARD.

I have examined House Bill No. 346 introduced by me and find the same to be correct.

BYRNE, Vice-chairman.

I have examined House Bill No. 422 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 338 introduced by me and find the same to be correct.

SMITH.

The Speaker signed the following in Open Session: House Bills Nos. 338, 422, 346, and 260.

It was moved by Lippard, duly seconded and carried, that permission be given for use of the House Chamber on Sunday evening, instead of Monday evening, for the Mock Session.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Friday, February 24th, 1939, at 10:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

FIFTY-FOURTH DAY

House of Representatives,
Helena, Montana.
February 24th, 1939.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Acher, Baker and Gebhardt.

The following members, on the Special Investigating Committee to investigate State Boards and Offices, were excused, to perform the duties of such Committee: Byrne, Moss (Flathead), Spiegel, Hoiness, Hess, O'Connor, Freshman, Baker, Leuthold, Ekern, Stromnes, Lowe, Watson, Malee, Lehrkind.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifty-third Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 125, respectfully report as follows: That Senate Bill No. 125 be amended as follows:

In line 6, after the word "equipment" add a comma and the words "when not in use in any rural district".

And by adding, after the word "town" in line 7 the words, "of three thousand population or less"

And amend further, by adding a period after the word "county" in line 8, and striking out the remainder of Section 1.
and as amended be concurred in.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Water Conservation, having had under consideration Senate Bill No. 175, respectfully report as follows: That Senate Bill No. 175 be not concurred in.

PARKER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 158, respectfully report as follows: That Senate Bill No. 158 be concurred in.

TYLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration Senate Bill No. 86, respectfully report as follows: That Senate Bill No. 86 reported out without recommendation.

LIPPARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration Senate Bill No. 46, respectfully report as follows: That Senate Bill No. 46 be amended as follows:

By adding to line 2 of the title after the word "enter" the words "unless accompanied by a parent,".

By adding to line 4 of the title after the word "dispensed" the words "to the Public".

By striking out in Section 1, line 4, after the word "dispensed" the comma, and adding the words "to the Public".

By inserting in Section 1, line 5, after the word "minors" the words "unless accompanied by a parent".
as amended do pass.

LIPPARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 127, respectfully report as follows: That Senate Bill No. 127 be concurred in.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 136, respectfully report as follows: That Senate Bill No. 136 be concurred in.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 124, respectfully report as follows: That Senate Bill No. 124 be concurred in.

SMITH, Vice-chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 206, respectfully report as follows: That Senate Bill No. 206 be concurred in.

SMITH, Vice-chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 142, respectfully report as follows: That Senate Bill No. 142 be concurred in.

SMITH, Vice-chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 199, respectfully report as follows: That Senate Bill No. 199 be concurred in.

SMITH, Vice-chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 39, respectfully report as follows: That Senate Bill No. 39 be concurred in.

SMITH, Vice-chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 210, respectfully report as follows: That Senate Bill No. 210 be concurred in.

SMITH, Vice-chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 145, respectfully report as follows: That Senate Bill No. 145 be concurred in.

SMITH, Vice-chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 60, respectfully report as follows: That Senate Bill No. 60 be not concurred in.

SMITH, Vice-chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration Senate Bill No. 62, respectfully report as follows: That Senate Bill No. 62 be not concurred in.

FRIEDL, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker: This is to advise you that the Governor has this day approved House Bill No. 165 by Hammond, et al; House Bill No. 164 by Hammond, et al and the same have been filed with the Secretary of State and copies thereof with the Clerk of the Supreme Court.

Respectfully yours,

JOHN J. JEWELL.

Secretary to the Governor.

Mr. Speaker: This is to advise that the Governor has this day approved House Bill No. 80 by Lehrkind and House Bill No. 250 by Appropriations Committee and the same have been filed with the Secretary of State and copies thereof with the Clerk of the Supreme Court.

Respectfully yours,

JOHN J. JEWELL.

Secretary to the Governor.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 423, 356, 193, 366, House Joint Memorial No. 18, House Bills Nos. 258, 209, 143, 273 and 239, having been read three several times, title and history agreed to as amended, are herewith returned to the House for concurrence in Senate amendments.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 425, 62, 221, 347, House Joint Memorial No. 10, House Joint Resolution No. 5, House Bills Nos. 387, 214, 254, 231, 418, 414, 417, 416, 320, 238, 382 and 195, having been read three several times, title and history agreed to and concurred in, are herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 115, 331, and 278 and House Joint Resolution No. 7, also Substitute House Bill No. 86, having failed in concurrence in the Senate on this day, are herewith returned to the House.

Respectfully,

GEORGE A. BURR.

Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by James, duly seconded and carried, that Senate Bill No. 86 be placed on General Orders for further consideration.

It was moved by Morrison, duly seconded and carried, that the House request the Honorable Senate for the return of Senate Bill No. 202.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 156 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Eker, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hess, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Longenecker, Loughran, Lowe, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Miles, Morrison, Newell, O'Connor, Padbury, Parker (Flathead), Petersen, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 82.

Noes: Long. Total 1.

Absent and not voting: Acher, Aronson, Baker, Cannon, Cole (Prairie), D'Ewart, Dunn, Freshman, Gebhardt, Hoiness, Lynch, Malee, Metlen, Moss (Flathead), Moss (Custer), Murray, Parker (Wibaux), Potter and Sorte. Total 19.

Senate Bill No. 172 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bower, Brower, Brown, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hess, Horrigan, James, Kellogg, Kirscher, Lambert, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, Melin, Miles, Morrison, Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Sullivan, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 84.

Noes: Anderson (Cascade), Bjorneby and McLeod. Total 3.

Absent and not voting: Acher, Baker, Byrne, Cannon, Cole (Prairie), Freshman, Gebhardt, Hoiness, Laubach, Malee, Metlen, Moss (Flathead), Murray, Siegling and Tyler. Total 15.

Senate Bill No. 211 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Friedl, Goodwin, Green, Hageman, Hammond, Hess, James, Kellogg, Kirscher, Lambert, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Siegling, Smith, Stafford, Stevens, Stewart, Sullivan, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 82.

Absent and not voting: Acher, Baker, Byrne, Cole (Prairie), Flynn, Freshman, Gebhardt, Hoiness, Horrigan, Laubach, Malee, Metlen, Moss (Flathead), Murray, Parker (Flathead), Rice, Sorte, Spiegel, Stromnes and Tyler. Total 20.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Williams in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That consideration of Senate Bill No. 144 be passed temporarily.

That Senate Bill No. 117 be not concurred in.

WILLIAMS, Chairman.

Report adopted.

SPECIAL ORDER OF BUSINESS

The motion by O'Connor, that House Bill No. 96 become a law, notwithstanding the Governor's veto, having been made a Special Order of Business at 11:00 o'clock A. M., was taken up by the House.

On motion by O'Connor, duly seconded and carried, the House recessed for five minutes.

House resumed. Mr. Speaker in the Chair.

A call of the House was ordered by the required number. After the Clerk called the roll, on motion by Smith, duly seconded and carried, further call of the House was dispensed with.

Whereupon, House Bill No. 96 failed to over-ride the Governor's veto by the following vote:

Ayes: Anderson (Cascade), Aronson, Beadle, Bower, Brower, Brown, Canron, Cole (Petroleum), Cole (Paririe), D'Ewart, Dunn, Emswiler, Findlater, Freshman, Green, Hammond, Hoiness, Horrigan, Lambert, Lippard, Listug, Long, Malee, McCarthy, McGee, McLeod, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Potter, Rice, Roehl, Ryan, Scofield, Smith, Spiegel, Stewart, Stromnes, Sullivan, Wenger, Williams and Wilson. Total 45.

Noes: Acton, Anderson (Phillips), Antrim, Armstrong, Balgord, Beck, Berthot, Bjorneby, Byrne, Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Ekern, Flynn, Friedl, Goodwin, Hageman, Hess, James, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Longenecker, Loughran, Lowe, Lynch, Martin, McClain, McFatridge, McKenna, Melin, Metlen, Miles, Moss (Flathead), Parker (Wibaux), Parker (Flathead), Petersen, Reed, Siegling, Sorte, Stafford, Stevens, Tyler, Vanderbeck, Woods, Zuck and Mr. Speaker. Total 51.

Absent and not voting: Baker, Gebhardt and Liggett. Total 3.

Passed their vote: Clark. Total 1.

Paired: Acher, Watson. Total 2.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the request of the House for the return of Substitute Senate Bill No. 53 has been granted, and the bill is herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the request of the House for the return of Senate Bill No. 202 has been granted, and the bill is herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President on this day appointed the following committee to act with a like committee from the House in considering Senate amendments on House Bill No. 140. Senators Pauline, Waite and McQuitty.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by McLeod, duly seconded and carried, that the House reconsider its action on Senate Bill No. 202 which failed on Third Reading.

It was moved by Hoiness, duly seconded and carried, that the House reconsider its action on Substitute Senate Bill No. 53.

It was moved by McLeod, duly seconded and carried, that Substitute Senate Bill No. 53 and Senate Bill No. 202 be placed on General Orders.

It was moved by McLeod, duly seconded and carried, that the House recess until 3:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting; and also to consider Special Order of Business on Senate Bill No. 207.

Long in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Bill No. 207 be amended as follows:

Amend Section 2 by striking out in lines 4 and 5, original bill, the following: "one per cent (1%)" and insert in lieu thereof "three per cent (3%)", and in line 10 strike out "one per cent (1%)" and insert in lieu thereof "three per cent (3%)".

Amend Section 3 by striking the period at the end of the Section and inserting in lieu thereof a semi-colon, and by adding the following words: "Provided, however, that nothing in this Act shall apply to any bank authorized to do business in the State of Montana."

Amend Section 5 by striking out the entire section and insert in lieu thereof the following: "Section 5. The Superintendent of Banks shall have the same duties and powers for the examination of such licensee as he has under and by virtue of Chapter 24, Sections 6014.1 to 6014.155 inc. R. C. M. 1935, and acts amendatory thereto, relating to banks and banking."

Amend Section 6 by striking out in line 4 the words and figures "one per cent (1%)" and insert in lieu thereof the following: "three per cent (3%)"; amend by striking all of Section Eleven. And as amended, be concurred in.

That Senate Amendments to House Bills Nos. 258 and 209 be concurred in.

That Senate Bill No. 144 be amended as follows:

Amend Section 5 by striking out in line 20 of the printed bill the period and inserting in lieu thereof a semi-colon, and adding the following: "provided that the costs and expenses incurred in carrying out the provisions of this section shall be paid by the State Water Conservation Board." And as amended, be concurred in.

That Senate Amendments to House Bills Nos. 143, 273, 239, 423, 356 and 193 be concurred in.

That Senate Bill No. 202 be concurred in.

That Senate Amendments to House Bill No. 366 and House Joint Memorial No. 18 be concurred in.

That Substitute Senate Bill No. 53 be amended as follows:

Amend by striking Committee of the Whole amendment dated February 23, 1939, in its entirety.

And as amended, be concurred in.

That House Memorial No. 2 do pass.

LONG, Chairman.

It was moved by Long, duly seconded, that the report of the Committee of the Whole be adopted.

On substitute motion, it was moved by Metlen, duly seconded and carried, that House Bill No. 356 be segregated from the report of the Committee of the Whole.

Whereupon, report of the Committee of the Whole was adopted, as amended.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Joint Conference Committee, having had under consideration Senate Amendments to Substitute House Bill No. 18, respectfully report as follows: Your said Joint Conference Committee agrees that the House recedes from its position in refusing to concur in the Senate amendments. The House concurs in the Senate amendments.

SPIEGEL,
MOSS (Custer),
LIGGETT,
For the House.

SIMMONS,
ALVORD,
MURPHY,
For the Senate.

STATEMENT

Re: Joint Conference on Substitute House Bill No. 18.

Your Joint Conference Committee states that the result of this conference mentioned in Conference Committee report attached hereto, simply means that the penalty in the Bill is changed so that a case of prosecution would come within the jurisdiction of a Justice Court, in place of being in the jurisdiction of the District Court, as the original bill provided.

SPIEGEL.

Report of Conference Committee was adopted by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Berthot, Bjorneby, Bower, Cannon, Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Freshman, Friedl, Goodwin, Green, Hageman, Hoiness, Horrigan, James, Kellogg, Laubach, Lehrkind, Leuthold, Liggett, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McFatrige, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stevens, Stewart, Sullivan, Watson, Williams, Wilson, Zuck, and Mr. Speaker. Total 73.

Absent and not voting: Acher, Baker, Beck, Brower, Brown, Byrne, Clark, Cole (Petroleum), Gebhardt, Hammond, Hess, Kirscher, Lambert, Lippard, Listug, Malee, McCarthy, McClain, Metlen, Moss (Flathead), Murray, O'Connor, Parker (Flathead), Stafford, Stromnes, Tyler, Vanderbeck, Wenger and Woods. Total 29.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 132, respectfully report as follows: That Senate Bill No. 132 be amended as follows:

By adding, at the end of Section 1, the following:

"provided further that the total amount of transportation paid to any High School student from all sources shall not exceed the maximum amount as stipulated in Section 1010 of the Revised Codes of Montana, 1935." And as amended be concurred in.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Substitute Senate Bill No. 31, respectfully report as follows: That Substitute Senate Bill No. 31 be amended as follows:

Amend Section 4, line 5, page 3, of the printed Bill, by striking out the word "may" and inserting in lieu thereof the word "must". In line 7, page 3, beginning with the word "in", strike out the remainder of the paragraph and insert in lieu thereof the following: "proper application has been made by the parent or guardian on or before September 1. No payment shall be made for attendance in another state except where such attendance is in a public elementary or secondary school in a county adjacent to the county of the student's residence." And in page 4, line 7, of the printed bill, by striking out beginning with the words "which shall not be less than" and ending with the word "institution" in line 10, and inserting in lieu thereof the following: "for an amount equal to the average amount budgeted per eligible high school pupil for maintenance and operating purposes, for all high schools with the county in which the pupil resides, in their annual final budgets for the school year immediately preceding, for each student whose attendance outside of his county has been authorized, or who is an inmate of a state institution. Such average amount per pupil shall be ascertained and determined by the county superintendent who shall divide the total amount budgeted for all eligible high school pupils within the county for maintenance and operating purposes during the preceding school year by the total number of high school pupils eligible for budgeting purposes for such year, as provided in Section 1263.5 and as such amounts and number of eligible pupils are shown by such high school budgets for such year. Provided that the payment of tuition for pupils attending school in another state shall be in an amount per pupil which is the same as paid by such state for pupils attending like schools in Montana. Provided further that the number of transfer pupils used for budgeting purposes shall be the number whose attendance was duly authorized by law for the year next preceding. And as amended be concurred in.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 130, respectfully report as follows: That Senate Bill No. 130 be not concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 61, respectfully report as follows: That Senate Bill No. 61 be amended as follows:

Amend Section 3 by striking out at the end of the Section the period and substituting in lieu thereof a comma and adding the following "Provided, however, that the provisions of this act shall not have any application to bonds, debentures or other obligations with regard to which any action or actions have heretofore been instituted and are now pending for the purpose of having the validity thereof determined judicially." And as amended be concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 119, respectfully report as follows: That Senate Bill No. 119 be concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Substitute Senate Bill No. 200, respectfully report as follows: That Substitute Senate Bill No. 200 be placed on General Orders.

STROMNES, Chairman.

It was moved by Stromnes, duly seconded, that the report be adopted.

On substitute motion, it was moved by McLeod, duly seconded, that further consideration on Substitute Senate Bill No. 200 be indefinitely postponed. Motion lost. Whereupon report of the committee was adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 13, respectfully report as follows: That Senate Bill No. 13 be not concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 169, respectfully report as follows: That Senate Bill No. 169 be concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 162, respectfully report as follows: That Senate Bill No. 162, be not concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 120, respectfully report as follows: That Senate Bill No. 120 be concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 85, respectfully report as follows: That Senate Bill No. 85 be concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 3, respectfully report as follows: That Senate Bill No. 3 be concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 166, respectfully report as follows: That Senate Bill No. 166 be concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 75, respectfully report as follows: That Senate Bill No. 75 be concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 111, respectfully report as follows: That Senate Bill No. 111 be concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 212, respectfully report as follows: That Senate Bill No. 212 be not concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 176, respectfully report as follows: That Senate Bill No. 176 be concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 118, respectfully report as follows: That Senate Bill No. 118 be concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 115, respectfully report as follows: That Senate Bill No. 115 be not concurred in.

STROMNES, Chairman.

It was moved by Stromnes, duly seconded and carried, that Senate Bill No. 115 be re-referred to the Committee on Judiciary.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 121, respectfully report as follows: That Senate Bill No. 121 be concurred in.

STROMNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 40, respectfully report as follows: That Senate Bill No. 40 be concurred in.

McCLAIN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 165, respectfully report as follows: That Senate Bill No. 165 be concurred in.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration Senate Bill No. 138, respectfully report as follows: That Senate Bill No. 138 be concurred in.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration Senate Bill No. 23, respectfully report as follows: That Senate Bill No. 23 be and hereby is reported out without recommendation by this committee.

LEHRKIND, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 220, 105, 42, 11, 182, 272, 213, 43, 192, 289, 344, 87, 195 and House Joint Memorial No. 17.

COLE, Vice-Chairman.

Report adopted.

I have examined House Bill No. 195 introduced by me and find the same to be correct.

EMSWILER.

I have examined House Bill No. 87 introduced by me and find the same to be correct.

WILLIAMS.

I have examined House Bill No. 344 introduced by me and find the same to be correct.

METLEN.

I have examined House Joint Memorial No. 17 introduced by me and find the same to be correct.

RICE.

I have examined House Bill No. 289 introduced by me and find the same to be correct.

METLEN.

I have examined House Bill No. 192 introduced by me and find the same to be correct.

HAMMOND.

I have examined House Bill No. 43 introduced by me and find the same to be correct.

BYRNE.

I have examined House Bill No. 213 introduced by me and find the same to be correct.

BYRNE.

I have examined House Bill No. 272 introduced by me and find the same to be correct.

WATSON.

I have examined House Bill No. 182 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 11 introduced by me and find the same to be correct.

LOWE.

I have examined House Bill No. 42 introduced by me and find the same to be correct.

METLEN.

I have examined House Bill No. 105 introduced by me and find the same to be correct.

ANDERSON (Phillips).

I have examined House Bill No. 220 introduced by me and find the same to be correct.

STROMNES.

The Speaker signed the following bills in Open Session: House Bills Nos. 220, 105, 42, 11, 182, 272, 213, 43, 192, 289, 344, 87, 195, and House Joint Memorial No. 17, and Senate Bills Nos. 81, 147, 104, 74, 108, 146, 197, and Senate Joint Memorials Nos. 12, 14, 16, 18 and 19.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker: This is to advise that the Governor has this day approved House Bill No. 292 by Berthot, House Bill No. 422 by Appropriations Committee, House Bill No. 345 by Committee on Revenue and Taxation, House Bill No. 338 by Smith, House Bill No. 260 by Lippard, House Bill No. 346 by Committee on Revenue and Taxation, House Bill No. 174 by McFatridge and Hoiness, House Bill No. 114 by Rice, et al., House Bill No. 325 by Committee on State Boards and Offices, House Joint Memorial No. 16 by Lambert, and the same have been filed with the Secretary of State and copies thereof with the Clerk of the Supreme Court.

Respectfully yours,

JOHN J. JEWELL,
Secretary to the Governor.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Substitute House Bill No. 381, House Bill No. 237, Substitute House Bill No. 158, House Joint Memorial No. 13, House Bill No. 314, House Joint Memorial No. 8, House Bill No. 226, Substitute House Bill No. 157, and House Bill No. 162, having been read three several times, title and history agreed to and concurred in, are herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 359, and 81, Substitute House Bill No. 103, and House Joint Resolution 4, having failed in concurrence in the Senate, are herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Substitute House Bill No. 337, House Bill No. 31, 200, 135, 97, 201, Substitute House Bill No. 170, House Bill No. 256, and House Bill No. 186, having been read three several times, title and history agreed to as amended, are returned to the House for concurrence in Senate amendments. Likewise House Bill No. 259.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Spiegel, duly seconded and carried, that the Sergeant-at-Arms be instructed to enforce the provisions of House Rule No. 53.

It was moved by Hoiness, duly seconded and carried, that the House request the Honorable Senate to return Senate Joint Memorial No. 17 for further consideration.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Saturday, February 25th, 1939, at 10:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

FIFTY-FIFTH DAY

House of Representatives,
Helena, Montana.
February 25, 1939.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members were present, except the following who were excused: Baker.

The following members, on the Special Investigating Committee to investigate State Boards and Offices, were excused, to perform the duties of such Committee: Byrne, Moss (Flathead), Spiegel, Hoiness, Hess, O'Connor, Freshman, Baker, Leuthold, Ekern, Stromnes, Lowe, Watson, Malee, Lehrkind.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifty-fourth Day, find the same to be correct.

HESS, Chairman.

Report adopted.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Bill No. 37 was concurred in by the following vote:

Ayes: Acher, Acton, Antrim, Armstrong, Aronson, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Ekern, Findlater, Flynn, Friedl, Goodwin, Green, Hess, Hoiness, Kellogg, Kirscher, Lehrkind, Listug, Long, Longenecker, Loughran, Lowe, Lynch, McCarthy, McClain, McFatrige, McLeod, Melin, Morrison, Parker (Wibaux), Petersen, Potter, Reed, Roehl, Ryan, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Tyler, Vanderbeck, Watson, Wenger, Williams, Zuck, Mr. Speaker. Total 62.

Noes: Anderson (Phillips), Balgord, Duncan, Emswiler, Hageman, Leuthold, Liggett, Martin, McKenna, Miles, Newell, Scofield, Stewart, Wilson, Woods. Total 15.

Absent and not voting: Anderson (Cascade), Baker, Byrne, Cannon, Cole (Prairie), Freshman, Gebhardt, Hammond, Horrigan, James, Lambert, Laubach, Lippard, Malee, McGee, Metlen, Moss (Flathead), Moss (Custer), Murray, O'Connor, Padbury, Parker (Flathead), Rice, Stromnes, Sullivan. Total 25.

Senate amendments to House Bill No. 258 were concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Ekern, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hess, James, Kellogg, Lambert, Laubach, Lehrkind, Leuthold, Listug, Long, Longenecker, Loughran, Martin, McCarthy, McClain, McFatrige, McKenna, McLeod, Melin, Miles, Moss (Custer), Newell, Padbury, Parker (Wibaux), Parker (Flathead), Reed, Roehl, Ryan, Scofield, Siegling, Spiegel, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 70.

Absent and not voting: Anderson (Cascade), Baker, Byrne, Cannon, Cole (Prairie), D'Ewart, Dunn, Freshman, Gebhardt, Hammond, Hoiness,

Horrigan, Kirscher, Liggett, Lippard, Lowe, Lynch, Malee, McGee, Metlen, Morrison, Moss (Flathead), Murray, O'Connor, Petersen, Potter, Rice, Smith, Sorte, Stromnes, Sullivan, Woods. Total 32.

Senate amendments to House Bill No. 209 were concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hess, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Newell, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 81.

Absent and not voting: Baker, Byrne, Cannon, Cole (Prairie), Freshman, Gebhardt, Hammond, Hoiness, Horrigan, Liggett, Lippard, Malee, Metlen, Moss (Flathead), Moss (Custer), Murray, O'Connor, Padbury, Smith, Stafford, Stromnes. Total 21.

Senate amendments to House Bill No. 143 were concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brown, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hess, James, Kellogg, Lambert, Laubach, Lehrkind, Leuthold, Listug, Long, Longenecker, Loughran, Lowe, Lynch, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck. Total 77.

Noes: D'Ewart, Miles, Scofield. Total 3.

Absent and not voting: Baker, Brower, Byrne, Cannon, Cole (Prairie), Freshman, Gebhardt, Hammond, Hoiness, Horrigan, Kirscher, Liggett, Lippard, Malee, Martin, Metlen, Moss (Flathead), Murray, O'Connor, Smith, Stromnes, Mr. Speaker. Total 22.

Senate amendments to House Bill No. 273 were concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjerneby, Brower, Brown, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Flynn, Friedl, Goodwin, Green, Hageman, Hess, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck. Total 82.

Absent and not voting: Baker, Bower, Byrne, Cannon, Cole (Prairie), Findlater, Freshman, Gebhardt, Hammond, Hoiness, Horrigan, Lippard,

Malee, Metlen, Murray, O'Connor, Smith, Spiegel, Stromnes, Mr. Speaker. Total 20.

Senate amendments to House Bill No. 239 were concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Brower, Brown, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hess, Kellogg, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, Melin, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Rice, Roehl, Ryan, Scofield, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Watson, Wenger, Williams, Wilson, Woods, Zuck, McLeod. Total 75.

Noes: Duncan, Longenecker, Petersen, Tyler. Total 4.

Absent and not voting: Baker, Bower, Byrne, Cannon, Cole (Prairie), Ekern, Freshman, Gebhardt, Hoiness, Horrigan, James, Kirscher, Lippard, Malee, Metlen, Moss (Flathead), Murray, O'Connor, Siegling, Smith, Stromnes, Vanderbeck, Mr. Speaker. Total 23.

Senate amendments to House Bill No. 423 were concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Antrim, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Brower, Brown, Byrne, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hess, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Moss (Custer), Newell, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Sorte, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck. Total 76.

Absent and not voting: Anderson (Cascade), Armstrong, Baker, Bower, Cannon, Clark, Cole (Prairie), Ekern, Freshman, Gebhardt, Hammond, Hoiness, Horrigan, Lippard, Malee, Metlen, Morrison, Moss (Flathead), Murray, O'Connor, Padbury, Siegling, Smith, Spiegel, Stromnes, Mr. Speaker. Total 26.

Senate amendments to House Bill No. 193 were concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Bjorneby, Brower, Brown, Byrne, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, McCarthy, McGee, McKenna, Melin, Miles, Morrison, Moss (Flathead), Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Sorte, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Lynch. Total 76.

Absent and not voting: Baker, Berthot, Bower, Cannon, Cole (Prairie), Ekern, Freshman, Friedl, Gebhardt, Horrigan, Lippard, Malee, Martin,

McClain, McFatridge, McLeod, Metlen, Moss (Custer), Murray, O'Connor, Siegling, Smith, Spiegel, Stafford, Stromnes, Mr. Speaker. Total 26.

Senate amendments to House Bill No. 366 were concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Brower, Brown, Byrne, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Goodwin, Green, Hageman, Hammond, Hess, James, Kellogg, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, McCarthy, McFatridge, McGee, McKenna, Melin, Morrison, Moss (Flathead), Moss (Custer), Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Sorte, Stafford, Stevens, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck. Total 75.

Absent and not voting: Armstrong, Baker, Bower, Cannon, Cole (Prairie), Ekern, Freshman, Friedl, Gebhardt, Hoiness, Horrigan, Kirscher, Lippard, Malee, Martin, McClain, McLeod, Metlen, Miles, Murray, O'Connor, Siegling, Smith, Spiegel, Stewart, Stromnes, Mr. Speaker. Total 27.

Senate amendments to House Joint Memorial No. 18 were concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Brower, Brown, Byrne, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hess, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, Melin, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Sorte, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck. Total 79.

Absent and not voting: Baker, Bower, Cannon, Cole (Prairie), Ekern, Freshman, Gebhardt, Hoiness, Horrigan, Leuthold, Lippard, Malee, McLeod, Metlen, Miles, Moss (Flathead), Murray, O'Connor, Siegling, Smith, Spiegel, Stromnes, Mr. Speaker. Total 23.

Senate Bill No. 202 was concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Balgord, Beadle, Beck, Berthot, Bjorneby, Brower, Brown, Byrne, Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hess, James, Kellogg, Lambert, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Stafford, Stevens, Sullivan, Tyler, Vanderbeck, Watson, Williams, Wilson, Woods, Zuck, Miles. Total 77.

Noes: Clark, Cole (Petroleum). Total 2.

Absent and not voting: Aronson, Baker, Bower, Cannon, Cole (Prairie), Freshman, Gebhardt, Hoiness, Horrigan, Kirscher, Laubach, Lippard, Malee, Metlen, Moss (Flathead), Murray, O'Connor, Parker (Flathead), Spiegel, Stewart, Stromnes, Wenger, Mr. Speaker. Total 23.

Senate Bill No. 144 was concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Antrim, Armstrong, Baggord, Beadle, Berthot, Bjerneby, Brower, Brown, Clark, Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, McCarthy, McClain, McFatridge, McKenna, McLeod, Miles, Morrison, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Rice, Roehl, Ryan, Scofield, Sorte, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Zuck. Total 67.

Noes: Beck, D'Ewart, James, Martin, McGee, Melin, Potter, Siegling, Wilson. Total 9.

Absent and not voting: Anderson (Cascade), Aronson, Baker, Bower, Byrne, Cannon, Cole (Petroleum), Cole (Prairie), Findlater, Freshman, Gebhardt, Horrigan, Lambert, Lippard, Malee, Metlen, Moss (Flathead), Moss (Custer), Murray, O'Connor, Smith, Spiegel, Stafford, Stromnes, Woods, Mr. Speaker. Total 26.

Senate Bill No. 207 was concurred in by the following vote:

Ayes: Acher, Anderson (Cascade), Antrim, Armstrong, Baggord, Beck, Berthot, Bjerneby, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Ekern, Emswiler, Findlater, Flynn, Friedl, Hageman, Hess, James, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Liggett, Longenecker, McCarthy, McClain, McGee, McKenna, McLeod, Miles, Morrison, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Rice, Siegling, Smith, Stafford, Stewart, Tyler, Vanderbeck, Wilson, Woods, Zuck. Total 57.

Noes: Acton, Anderson (Phillips), Aronson, Beadle, D'Ewart, Dunn, Goodwin, Green, Hammond, Hoiness, Lambert, Long, Loughran, Lowe, Martin, McFatridge, Melin, Potter, Roehl, Ryan, Scofield, Stevens, Sullivan, Watson, Wenger, Williams. Total 26.

Absent and not voting: Baker, Bower, Cole (Prairie), Freshman, Gebhardt, Horrigan, Lippard, Listug, Lynch, Malee, Metlen, Moss (Flathead), Moss (Custer), Murray, O'Connor, Sorte, Spiegel, Stromnes, Mr. Speaker. Total 19.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Berthot in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Bill No. 127 be concurred in.

That Senate Amendments to House Bill No. 201 be concurred in.

That Senate Bills Nos. 199, 39, 210, and 145 be concurred in.

That consideration of Senate Bill No. 86 be passed for the day.

That consideration of Senate Bill No. 46 be passed for the day and that the amendments therein be mimeographed and placed on the desks of the members.

That Senate Bills Nos. 142 and 125 be concurred in.

BERTHOT, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I have been directed by the Senate to request that your Honorable Body return to the Senate, House Bill No. 356, for further consideration.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate on this day has acceded to the request of the House for the return of Senate Joint Memorial No. 17, and the Bill is herewith returned to the House.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Memorial No. 2.

RICE, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by McLeod, duly seconded and carried, that the House grant the request of the Honorable Senate for the return of House Bill No. 356.

It was moved by Spiegel, duly seconded and carried, that Senate Bill No. 23 be placed on General Orders.

It was moved by Hoiness, duly seconded and carried, that the House reconsider its action on Senate Joint Memorial No. 17.

It was moved by Smith, duly seconded and carried, that the Assembly extend a standing vote of joy at the complete recovery and return of the Gentleman from Blaine, John Acher.

It was moved by McLeod, duly seconded and carried, that the House Chambers be turned over to the Committee on Judiciary during recess.

It was moved by Hoiness, duly seconded and carried, that Senate Joint Memorial No. 17 be placed on General Orders.

It was moved by McLeod, duly seconded and carried, that the House recess until 2:30 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Boards and Offices having had under consideration Senate Bill No. 63, respectfully report as follows: That Senate Bill No. 63 be concurred in.

FRIEDL, Chairman.

Report adopted.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Joint Conference Committee having had under consideration Amendments to House Bill No. 140, respectfully report as follows: That Amendments to House Bill No. 140 be amended:

Amendment 1. In line 4, strike out, "four thousand dollars (\$4,000.00)" and insert, "two thousand dollars (\$2,000.00)."

- Amendment 2. O. K.
- Amendment 3. O. K.
- Amendment 4. In line 4, strike out, "three thousand dollars (\$3,000.00)" and insert, "six thousand dollars (\$6,000.00)".
- Amendment 5. O. K.
- Amendment 6. O. K.
- Amendment 7. In line 5, strike out, "forty-eight thousand five hundred dollars (\$48,500.00)", and insert, "forty-five thousand dollars (\$45,000.00)".
- Amendment 8. O. K.
- Amendment 9. O. K.
- Amendment 10. O. K.
- Amendment 11. In line 4 and 5, strike out, "four thousand dollars (\$4,000.00)" and insert, "two thousand dollars (\$2,000.00)".
- Amendment 12. O. K.
- Amendment 13. In line 4, strike out, "three thousand dollars (\$3,000.00)" and insert, "six thousand dollars (\$6,000.00)".
- Amendment 14. O. K.
- Amendment 15. O. K.
- Amendment 16. In line 5, strike out, "forty-eight thousand five hundred dollars (\$48,500.00)", and insert, "forty-five thousand dollars (\$45,000.00)".
- Amendment 17. Strike out the whole amendment.
- Amendment 18. Strike out, "For sidewalks and campus improvements, one thousand dollars (\$1,000.00)".
- Amendment 19. O. K.

MORRISON,
SORTE,
ARMSTRONG,
For the House.

PAULINE,
WAITE,
McQUITTY.
For the Senate.

STATEMENT JOINT CONFERENCE COMMITTEE REPORT

An explanation to the Amendments to House Bill No. 140:

Amendments 1 and 11.

The \$4,000 increase for adjustment of salaries and physical plant reduced to \$2,000 the Committee feeling that \$2,000 would make a satisfactory adjustment. (State University).

Amendments 4 and 13.

The increase from \$3,000 to \$6,000 because at the present time the Horticultural Experiment Station is ineffective and it is believed that with the additional \$3,000 effective work can be done.

Amendments 7 and 16.

By reducing \$48,500 to \$45,000 it is believed that the \$45,000 will be satisfactory for the operation of the Extension Service and that the need for the increase in the Experiment Stations is more necessary.

Amendment 17.

It is felt that \$2,000 for campus improvements for 1939-1940 would make the necessary improvements. (Landscaping)—(Eastern Montana).

Amendment 18.

It is felt that the appropriation of \$1,000 for 1939-1940 would be sufficient for the necessary improvements. (Sidewalks and Campus improvements)—(Northern Montana).

Conference Committee report on Senate Amendments to House Bill No. 140 was adopted by the following vote:

Ayes: Anderson (Cascade), Armstrong, Balgord, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cole (Petroleum), Collins, Daniel, D'Ewart, Dougherty, Duncan, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, Kellogg, Laubach, Lehrkind, Leuthold, Liggett, Listug, Longenecker, Loughran, Lowe, Martin, McCarthy, McClain, McFatridge, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Siegling, Sorte, Stafford, Stevens, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Mr. Speaker. Total 66.

Noes: Aronson, Beck, Clark, DeDobbeleer, Horrigan, James, Kirscher, Long, Lynch, O'Connor, Smith, Spiegel, Stewart, Zuck. Total 14.

Absent and not voting: Acher, Anderson (Phillips), Antrim, Baker, Beadle, Cannon, Cole (Prairie), Dunn, Ekern, Freshman, Gebhardt, Hess, Lambert, Lippard, Malee, McGee, Moss (Flathead), Murray, Ryan, Stromnes, Sullivan. Total 21.

Passed their vote: Acton. Total 1.

The Speaker signed the following in Open Session: Senate Bills Nos. 195, 164, 181, 155, 72, 173, 42 and Senate Joint Memorial No. 13.

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following House Bills correctly enrolled: 162, 347, 387, 231, 214, 416, 417, 254, 226, 320, 238, 418, 414, 221, 158, 314, 62, Substitute House Bills Nos. 381, 157, House Joint Memorials Nos. 8 and 13, and House Bill No. 425.

COLE (Prairie),
Vice-Chairman.

Report adopted.

I have examined House Bill No. 425 introduced by me and find the same to be correct.

ZUCK.

I have examined House Bill No. 62 introduced by me and find the same to be correct.

MOSS (Custer).

I have examined House Bill No. 162 introduced by me and find the same to be correct.

HOINESS.

I have examined House Bill No. 347 introduced by me and find the same to be correct.

METLEN.

I have examined House Bill No. 387 introduced by me and find the same to be correct.

MORRISON.

I have examined House Bill No. 231 introduced by me and find the same to be correct.

LEHRKIND.

I have examined House Bill No. 214 introduced by me and find the same to be correct.

WATSON.

I have examined House Joint Memorial No. 8 introduced by me and find the same to be correct.

LYNCH.

I have examined House Bill No. 416 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 417 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Joint Memorial No. 13 introduced by me and find the same to be correct.

I have examined House Bill No. 254 introduced by me and find the same to be correct.

I have examined House Bill No. 226 introduced by me and find the same to be correct.

BYRNE.

I have examined Substitute House Bill No. 381 introduced by me and find the same to be correct.

SORTE.

I have examined House Bill No. 320 introduced by me and find the same to be correct.

HAMMOND.

I have examined House Bill No. 238 introduced by me and find the same to be correct.

SMITH.

I have examined House Bill No. 418 introduced by me and find the same to be correct.

I have examined House Bill No. 414 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 221 introduced by me and find the same to be correct.

SMITH.

I have examined Substitute House Bill No. 157 introduced by me and find the same to be correct.

I have examined House Bill No. 158 introduced by me and find the same to be correct.

I have examined House Bill No. 314 introduced by me and find the same to be correct.

SORTE.

The Speaker signed the following in Open Session: Substitute House Bills Nos. 381 and 157, House Bills Nos. 162, 347, 387, 231, 214, 416, 417,

254, 226, 320, 238, 418, 414, 221, 158, 314, 62, 425, House Joint Memorial Nos. 8 and 13.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary having had under consideration Senate Bill No. 115, respectfully report as follows: That Senate Bill No. 115 be amended as follows:

That Section 1 be amended by deleting all of that part after the colon in line 3 of the printed bill to the end of Section 1, and that in lieu thereof there be added:

"Subsection 8706.1. In civil actions against Boards of County Commissioners or members thereof to recover damages for personal injuries arising out of or from breach of duty relative to the condition of roads, highways or bridges, only nominal damages shall be recovered unless it be established by the evidence that the action or non-action complained of was willful or a gross neglect of duty." And as so amended that Senate Bill No. 115 be concurred in.

SMITH, Vice-Chairman.

Report adopted.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Substitute Senate Bill No. 53 was concurred in by the following vote:

Ayes: Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Emswiler, Findlater, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, McFatrige, McGee, McKenna, McLeod, Metlen, Miles, Morrison, Moss (Flathead), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 78.

Noes: Anderson (Cascade), Beadle, Duncan, Flynn, Martin, McCarthy, McClain, Melin, Moss (Custer), Stevens. Total 10.

Absent and not voting: Acher, Acton, Baker, Cole (Prairie), Ekern, Freshman, Gebhardt, Hess, Lippard, Malee, Smith, Stromnes, Sullivan, Woods. Total 14.

Senate Bill No. 127 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Balgord, Beadle, Beck, Bjerneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, Dougherty, Dunn, Emswiler, Findlater, Friedl, Goodwin, Hageman, Hoiness, Horrigan, James, Kirscher, Lambert, Laubach, Liggett, Lippard, Long, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Parker (Wibaux), Parker (Flathead), Petersen, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 72.

Noes: Berthot, Byrne, D'Ewart, Duncan, Flynn, Green, Hammond, Kellogg, Lehrkind, Leuthold, Listug, Potter, Watson. Total 13.

Absent and not voting: Acher, Aronson, Baker, Cannon, Cole (Prairie), Ekern, Freshman, Gebhardt, Hess, Longenecker, Malee, Moss (Flathead), Padbury, Smith, Stromnes, Sullivan, Wenger. Total 17.

Senate Amendments to House Bill No. 201 were concurred in by the following vote:

Ayes: Acton, Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Friedl, Goodwin, Green, Hageman, Hammond, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, Martin, McClain, McFarridge, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Parker (Wibaux), Petersen, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 72.

Noes: Flynn, Lambert, Long, Metlen, Miles, Newell, Potter. Total 7.

Absent and not voting: Acher, Anderson (Phillips), Baker, Cannon, Cole (Prairie), Ekern, Findlater, Freshman, Gebhardt, Hess, Hoiness, Horrigan, James, Malee, McCarthy, Moss (Flathead), O'Connor, Padbury, Parker (Flathead), Smith, Sorte, Stromnes, Wenger. Total 23.

Senate Bill No. 199 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Cole (Petroleum), Collins, Daniel, DeDobbeleer, Duncan, Dunn, Emswiler, Findlater, Friedl, Goodwin, Green, Hageman, Hoiness, James, Laubach, Leuthold, Liggett, Lippard, Listug, Long, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Parker (Wibaux), Petersen, Potter, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 69.

Noes: Byrne, Clark, D'Ewart, Flynn, Horrigan, Lambert, Longenecker, Reed, Spiegel, Watson. Total 10.

Absent and not voting: Acher, Baker, Brower, Cannon, Cole (Prairie), Dougherty, Ekern, Freshman, Gebhardt, Hammond, Hess, Kellogg, Kirscher, Lehrkind, Malee, McFarridge, Metlen, Moss (Flathead), Padbury, Parker (Flathead), Stromnes, Sullivan, Wenger. Total 23.

Senate Bill No. 39 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, James, Kellogg, Kirscher, Laubach, Leuthold, Liggett, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McFarridge, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, Parker (Wibaux), Petersen, Potter, Reed, Rice, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 77.

Noes: Lambert, Long. Total 2.

Absent and not voting: Acher, Baker, Cannon, Cole (Prairie), D'Ewart, Ekern, Freshman, Gebhardt, Hess, Hoiness, Horrigan, Lehrkind,

Malee, McClain, McGee, Metlen, Moss (Flathead), O'Connor, Padbury, Parker (Flathead), Roehl, Stromnes, Wenger. Total 23.

Senate Bill No. 210 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Flynn, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Lehrkind, Leuthold, Liggett, Listug, Long, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McKenna, McLeod, Metlen, Miles, Murray, Newell, Parker (Wibaux), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 79.

Noes: McGee, Morrison, Rice, Spiegel. Total 4.

Absent and not voting: Acher, Baker, Cole (Prairie), Ekern, Freshman Gebhardt, Hess, Laubach, Lippard, Longenecker, McFatridge, Melin, Moss (Flathead), Moss (Custer), O'Connor, Padbury, Parker (Flathead), Stromnes, Sullivan. Total 19.

Senate Bill No. 145 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Emswiler, Flynn, Freshman, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Leuthold, Liggett, Listug, Long, Loughran, Lowe, Malee, Martin, McCarthy, McFatridge, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 81.

Noes: Duncan, McGee. Total 2.

Absent and not voting: Acher, Anderson (Cascade), Baker, Cole (Prairie), Ekern, Findlater, Gebhardt, Hess, Laubach, Lehrkind, Lippard, Longenecker, Lynch, McClain, Moss (Flathead), Padbury, Parker (Flathead), Stromnes, Sullivan. Total 19.

Senate Bill No. 142 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Flynn, Freshman, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McKenna, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 87.

Noes: McGee, Woods. Total 2.

Absent and not voting: Acher, Baker, Cole (Prairie), Ekern, Findlater, Gebhardt, Hess, Laubach, Lippard, McLeod, Moss (Flathead), Spiegel, Stromnes. Total 13.

Senate Bill No. 125 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Balgord, Beadle, Berthot, Bjerneby, Bower, Brown, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Emswiler, Findlater, Flynn, Freshman, Friedl, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, James, Kirscher, Lambert, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, Melin, Metlen, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Stafford, Stevens, Stewart, Sullivan, Tyler, Watson, Wenger, Williams, Wilson, Woods, Mr. Speaker. Total 75.

Noes: Antrim, Armstrong, Aronson, Brower, Byrne, Dougherty, Kellogg, Lehrkind, McLeod, Parker (Flathead), Smith, Vanderbeck, Zuck. Total 13.

Absent and not voting: Acher, Baker, Beck, Cannon, Cole (Prairie), Ekern, Gebhardt, Hess, Laubach, Lippard, Lynch, Moss (Flathead), Spiegel, Stromnes. Total 14.

House Memorial No. 2 was passed by the following vote:

Ayes: Acton, Antrim, Armstrong, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brown, Byrne, Cole (Petroleum), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Findlater, Flynn, Freshman, Goodwin, Green, Hageman, Hammond, Hoiness, James, Kirscher, Lambert, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Smith, Spiegel, Sullivan, Vanderback, Watson, Williams, Wilson, Zuck, Mr. Speaker. Total 73.

Noes: Anderson (Phillips), Brower, Clark, Emswiler, Horrigan, Rice, Tyler, Woods. Total 8.

Absent and not voting: Acher, Anderson (Cascade), Aronson, Baker, Cannon, Cole (Prairie), Ekern, Friedl, Gebhardt, Hess, Kellogg, Laubach, Moss (Custer), Siegling, Sorte, Stevens, Stromnes, Wenger. Total 18.

Passed their vote: D'Ewart, Stafford, Stewart. Total 3.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

McLeod, in the Chair. Committee arose.

Speaker Pro Tem in the Chair. House resumed.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following recommend:

That Senate Bills Nos. 158 and 136 be concurred in.

That Senate Bill No. 124 be amended as follows: Amend Section 3 in lines 10 and 12 by inserting before the word "neglect" the word "wilful"; and as amended be concurred in.

That Senate Amendments to House Bill No. 200 be concurred in.

That Senate Bill No. 206 be amended as follows:

Amend the title by striking in line 4 of the title after the word "at" the words "a centrally located point" and inserting in lieu thereof the words "the State Penitentiary" and in lines 6 and 7 by striking the words "the

Sheriff of the County" and inserting in lieu thereof the words "the warden of the penitentiary";

Amend Section 1 by striking out in line 9 after the word "executed" all the following words in line 9 and all of lines 10, 11, 12, 13 and all of line 14 to the word "where" and inserting in lieu thereof the words "at the State Penitentiary"; and in line 16 after the word "execution" insert the words "and the Warden of the Penitentiary"; and as amended be concurred in.

That Senate Bills Nos. 165, 40, and 121 be concurred in.

That consideration of Senate Bill No. 118 be passed for the day.

That Senate Bills Nos. 176, 111, and 75 be concurred in.

That consideration of Senate Bill No. 166 be passed for the day.

That Senate Bills Nos. 85, 120, 169 and 3 be concurred in.

That consideration of Senate Bill No. 23 be passed for the day.

That Substitute for Senate Bill No. 31 be concurred in.

That Senate Bills Nos. 61, 63, and 115 be concurred in.

That Substitute for Senate Bill No. 119 be amended as follows:

Amend Section 1 of the printed bill by adding after the word "territory", and reserving further to the State and its inhabitants and citizens the right to fish and hunt, and the right to access, ingress and egress to and through said ceded territory to all persons owning or controlling livestock for the purpose of watering the same, and saving further to the State of Montana jurisdiction in the enforcement of State laws relating to the duties of the Livestock Sanitary Board and the State Board of Health, and the enforcement of any regulations promulgated by said boards in accordance with the laws of the State of Montana; and as amended, be concurred in.

That Senate Bills Nos. 132 and 138 be concurred in.

That Substitute Senate Bill No. 200 be amended as follows:

Amend Section 2 by striking out in line six of the printed bill the period after the word "code" and inserting in lieu thereof a semi-colon, and add the following: "provided that the provisions of this section shall apply only to Electrical Construction conducted and operated in pursuance of the authority of the Rural Electrification Administration of the Federal Government"; and as amended be concurred in.

That Senate Joint Memorial No. 17 be not concurred in.

McLEOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Bills Nos. 382, 237, 258, 193, Substitute House Bill No. 18, House Joint Resolution No. 5, House Joint Memorial No. 10.

COLE (Prairie),
Vice-Chairman.

Report adopted.

I have examined Substitute House Bill No. 18 introduced by me and find the same to be correct.

SPIEGEL, Chairman.

I have examined House Bill No. 237 introduced by me and find the same to be correct.

D'EWART.

I have examined House Bill No. 382 introduced by me and find the same to be correct.

DeDOBBELEER.

I have examined House Bill No. 258 introduced by me and find the same to be correct.

MALEE.

I have examined House Bill No. 193 introduced by me and find the same to be correct.

ANDERSON (Cascade).

I have examined House Joint Memorial No. 10 introduced by me and find the same to be correct.

I have examined House Joint Resolution No. 5 introduced by me and find the same to be correct.

MURRAY.

The Speaker Pro Tem signed the following in Open Session: House Bills Nos. 382, 237, 258, 193, Substitute House Bill No. 18, and House Joint Resolution No. 5 and House Joint Memorial No. 10.

It was moved by Hoiness, duly seconded, that the House revert to Order of Business No. 6, motions and resolutions.

On substitute motion, it was moved by Stromnes, duly seconded, that the House recess for two minutes.

As a substitute motion for all motions pending, it was moved by McLeod, duly seconded and carried, that the House adjourn until Monday, February 27th, 1939, at 12:00 o'clock noon.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

FIFTY-SEVENTH DAY

House of Representatives,
Helena, Montana,
February 27, 1939.

House convened, pursuant to adjournment, at 12:00 o'clock noon.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Flynn, Lippard, Miles and Stromnes.

The following members, on the Special Investigating Committee to investigate State Boards and Offices, were excused, to perform the duties of such Committee: Byrne, Moss (Flathead), Spiegel, Hoiness, Hess, O'Connor, Freshman, Baker, Leuthold, Ekern, Stromnes, Lowe, Watson, Malee, Lehrkind.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifty-fifth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate did, upon roll call, concur in Conference Committee amendments to House Bill No. 197.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate did, upon roll call, concur in House amendments to Senate Bill No. 107.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body, that the Senate did, upon roll call, concur in House amendments to Senate Bill No. 156.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate on this day did not concur in the House amendments placed on Senate Bill No. 149 and the President appointed the following Conference Committee to act with a like Committee from the House in considering these amendments: Burke, Henderson and Smith. Thereupon the House is requested to appoint a like Committee in consideration of these amendments.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate failed on this day to concur in the report of a Joint Conference Committee on amendments to House Bill No. 161 and asked that a new Conference Committee be appointed. The President has appointed for the Senate the following Senators: Ecton, Smith and Keeley. Thereupon the House is requested to appoint a like Committee for the consideration of these amendments.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate did not concur in House Amendments to Senate Bill No. 59 and that the President appointed the following committee to act with a like committee from the House on said amendments: Simmons, Smith and Lamp. Thereupon the House is requested to appoint a committee in the consideration of House Amendments to Senate Bill No. 59.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Substitute for House Bill No. 115 having been read three several times title and history agreed to, as amended, is herewith transmitted to the House for concurrence in Senate Amendment.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 317, 159, and 151 were this day read three several times in the Senate, title and history agreed to as amended, and returned to the House for concurrence in Senate amendments.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 420, 176, 244, 390, 119, Substitute House Bill No. 377, Substitute House Bill No. 10, 405, 15, House Bill No. 230, House Bill No. 188, having on this day failed in concurrence in the Senate, are herewith returned to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 350, 287, 288 and 415, were this day read three several times in the Senate, title and history agreed to and concurred in and are herewith returned to the House.

Respectfully,

GEORGE A. BURR.

Secretary of the Senate.

Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration Senate Bill No. 177, respectfully report as follows: That Senate Bill No. 177—That under Rule 8 of Joint Rules of House and Senate, Senate Bill No. 177 must be accepted by the House.

McLEOD, Chairman.

It was moved by McLeod, duly seconded, that the report of the Committee be adopted. On substitute motion, it was moved by Cannon, duly seconded, that further consideration of Senate Bill No. 177 be indefinitely postponed. Motion was lost. Whereupon the report of the committee was adopted.

MOTIONS AND RESOLUTIONS

It was moved by Hoiness, duly seconded and carried, that the request of the Honorable Senate for the return of Senate Bill No. 142 be granted.

It was moved by Smith, duly seconded, that the House suspend House Rule No. 28.

On substitute motion, it was moved by McLeod, duly seconded and carried, that House Rule No. 28 be suspended with reference to Senate Bill No. 60 only.

It was moved by Smith, duly seconded and carried, that Senate Bill No. 60 be recalled from the Senate for further consideration.

It was moved by Hoiness, duly seconded and carried, that the House request the Honorable Senate for the return of Senate Bill No. 207.

THIRD READING

Speaker Pro tem in the Chair.

The following were read three several times, history and title agreed to and disposed of as follows:

Senate Bill No. 3 was concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Berthot, Bjorneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Findlater, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, James, Kellogg, Kirscher, Laubach, Lehrkind, Liggett, Listug, Long, Loughran, Lowe, Lynch, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Vanderbeck, Watson, Williams, Wilson, Zuck and Mr. Speaker. Total 75.

Noes: Beadle and Martin. Total 2.

Absent and not voting: Baker, Beck, Byrne, Cannon, Cole (Prairie), Dougherty, Flynn, Freshman, Hess, Hoiness, Horrigan, Lambert, Leuthold, Lippard, Longenecker, Malee, Metlen, Miles, Moss (Flathead), O'Connor, Rice, Sullivan, Tyler, Wenger and Woods. Total 25.

Substitute Senate Bill No. 31 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Bjorneby, Bower, Brown, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dunn, Ekern, Emswiler, Findlater, Friedl, Gebhardt, Goodwin, Hammond, James, Kellogg, Kirscher, Laubach, Lehrkind, Liggett, Listug, Loughran, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Parker (Flathead), Petersen, Potter, Reed, Roehl, Ryan, Siegling, Spiegel, Stevens, Stewart, Tyler, Vanderbeck, Williams, Zuck and Mr. Speaker. Total 62.

Noes: Duncan, Green, Hageman, Lowe, Newell, Padbury, Parker (Wibaux), Scofield, Wilson. Total 9.

Absent and not voting: Acher, Baker, Berthot, Brower, Byrne, Cole (Prairie), Dougherty, Flynn, Freshman, Hess, Hoiness, Horrigan, Lambert, Leuthold, Lippard, Long, Longenecker, Malee, Metlen, Miles, Moss (Flat-

head), O'Connor, Rice, Smith, Sorte, Stafford, Stromnes, Sullivan, Watson, Wenger and Woods. Total 31.

Senate Bill No. 40 was concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Balgord, Beadle, Beck, Bjerneby, Bower, Brown, Clark, Collins, Daniel, DeDobbeleer, Duncan, Ekern, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Listug, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFtridge, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Siegling, Smith, Spiegel, Stevens, Tyler, Vanderbeck, Williams, Wilson, Zuck. Total 65.

Noes: D'Ewart. Total 1.

Absent and not voting: Armstrong, Baker, Berthot, Brower, Byrne, Cannon, Cole (Petroleum), Cole (Prairie), Dougherty, Dunn, Emswiler, Findlater, Flynn, Friedl, Hess, Hoiness, Horrigan, Leuthold, Lippard, Long, Longenecker, Malee, Metlen, Miles, Moss (Flathead), O'Connor, Rice, Sorte, Stafford, Stewart, Stromnes, Sullivan, Watson, Wenger, Woods and Mr. Speaker. Total 36.

Senate Bill No. 61 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Balgord, Beadle, Beck, Bjerneby, Bower, Brown, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Listug, Long, Loughran, Lowe, Martin, McCarthy, McClain, McFtridge, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Newell, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Spiegel, Stevens, Tyler, Vanderbeck, Williams, Wilson and Zuck. Total 65.

Noes: Acher, Lynch and Padbury. Total 3.

Absent and not voting: Armstrong, Baker, Berthot, Brower, Byrne, Cole (Prairie), Dougherty, Ekern, Emswiler, Findlater, Flynn, Friedl, Hess, Hoiness, Horrigan, Lehrkind, Lippard, Longenecker, Malee, Metlen, Miles, Moss (Flathead), O'Connor, Siegling, Smith, Sorte, Stafford, Stewart, Stromnes, Sullivan, Watson, Wenger, Woods and Mr. Speaker. Total 34.

Senate Bill No. 63 was concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Balgord, Beadle, Beck, Bjerneby, Bower, Brown, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Freshman, Gebhardt, Goodwin, Hammond, James, Kellogg, Kirscher, Lambert, Liggett, Listug, Lynch, McCarthy, McClain, McFtridge, McGee, McKenna, McLeod, Melin, Metlen, Murray, Newell, Parker (Wibaux), Parker (Flathead), Potter, Roehl, Ryan, Siegling, Sorte, Stevens, Tyler, Vanderbeck, Williams, Wilson and Zuck. Total 56.

Noes: Green, Hageman, Laubach, Leuthold, Long, Lowe, Martin, Padbury, Reed, Rice, Scofield, Spiegel. Total 12.

Absent and not voting: Armstrong, Baker, Berthot, Brower, Byrne, Cole (Prairie), D'Ewart, Emswiler, Findlater, Flynn, Friedl, Hess, Hoiness, Horrigan, Lehrkind, Lippard, Longenecker, Loughran, Malee, Miles, Morrison, Moss (Flathead), Moss (Custer), O'Connor, Petersen, Smith, Stafford, Stewart, Stromnes, Sullivan, Watson, Wenger, Woods and Mr. Speaker. Total 34.

Senate Bill No. 75 was concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Balgord, Beadle, Beck, Bjorneby, Bower, Brown, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Gebhardt, Goodwin, Hageman, Hammond, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Listug, Lowe, Lynch, Martin, McCarthy, McClain, McFatrige, McKenna, McLeod, Melin, Metlen, Morrison, Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Scofield, Smith, Sorte, Spiegel, Stevens, Tyler, Vanderbeck, Williams, Wilson and Zuck. Total 65.

Noes: Green, Long, Murray, Ryan, Siegling. Total 5.

Absent and not voting: Armstrong, Baker, Berthot, Brower, Byrne, Cole (Prairie), Emswiler, Findlater, Flynn, Freshman, Friedl, Hess, Horrigan, Lehrkind, Lippard, Longenecker, Loughran, Malee, McGee, Miles, Moss (Flathead), Moss (Custer), O'Connor, Parker (Flathead), Stafford, Stewart, Stromnes, Sullivan, Watson, Wenger, Woods and Mr. Speaker. Total 32.

Senate Bill No. 85 was concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Balgord, Beadle, Beck, Bjorneby, Bower, Brown, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Listug, Long, Lowe, Lynch, Martin, McCarthy, McClain, McFatrige, McKenna, McLeod, Melin, Metlen, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stevens, Tyler, Vanderbeck, Williams, Wilson and Zuck. Total 70.

Absent and not voting: Armstrong, Baker, Berthot, Brower, Byrne, Cannon, Cole (Prairie), Findlater, Flynn, Freshman, Hess, Horrigan, Lehrkind, Leuthold, Lippard, Longenecker, Loughran, Malee, McGee, Miles, Morrison, Moss (Flathead), O'Connor, Rice, Stafford, Stewart, Stromnes, Sullivan, Watson, Wenger Woods and Mr. Speaker. Total 32.

Senate Bill No. 111 was concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Baker, Balgord, Beadle, Berthot, Bjorneby, Bower, Brown, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Listug, Long, Longenecker, Lowe, Lynch, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Metlen, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stevens, Stewart, Tyler, Vanderbeck, Williams, Wilson, Zuck. Total 75.

Absent and not voting: Armstrong, Beck, Brower, Byrne, Cannon, Ekern, Flynn, Freshman, Hess, Hoiness, Horrigan, James, Lehrkind, Lippard, Loughran, Malee, Miles, Morrison, Moss (Flathead), O'Connor, Rice, Stafford, Stromnes, Sullivan, Watson, Wenger and Mr. Speaker. Total 27.

Senate Bill No. 115 was concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Antrim, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty,

Dunn, Emswiler, Findlater, Friedl, Gebhardt, Goodwin, Green, James, Kellogg, Lambert, Laubach, Leuthold, Liggett, Listug, Long, Longenecker, Lowe, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, Melin, Metlen, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Smith, Sorte, Spiegel, Stevens, Stewart, Sullivan, Vanderbeck, Watson, Williams, Wilson and Zuck. Total 65.

Noes: Duncan, Morrison, Newell, Padbury and Tyler. Total 5.

Absent and not voting: Anderson (Cascade), Armstrong, Baker, Brower, Byrne, Ekern, Flynn, Freshman, Hageman, Hammond, Hess, Hoiness, Horrigan, Kirscher, Lehrkind, Lippard, Loughran, Lynch, Malee, McLeod, Miles, Moss (Flathead), Moss (Custer), Murray, O'Connor, Rice, Siegling, Stafford, Stromnes, Wenger, Woods and Mr. Speaker. Total 32.

Substitute Senate Bill No. 119 was concurred in by the following vote:

Ayes: Acton, Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Listug, Long, Longenecker, Lowe, Lynch, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, Melin, Morrison, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stevens, Stewart, Sullivan, Tyler, Watson, Williams, Wilson and Zuck. Total 71.

Absent and not voting: Acher, Anderson (Phillips), Anderson (Cascade), Baker, Brower, Byrne, Cole (Prairie), Ekern, Flynn, Freshman, Hess, Hoiness, Horrigan, Lehrkind, Leuthold, Lippard, Loughran, Malee, McLeod, Metlen, Miles, Moss (Flathead), Moss (Custer), Murray, O'Connor, Stafford, Stromnes, Vanderbeck, Wenger, Woods and Mr. Speaker. Total 31.

Senate Bill No. 120 was concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, James, Kellogg, Kirscher, Laubach, Liggett, Listug, Long, Longenecker, Lowe, Lynch, Martin, McCarthy, McClain, McGee, McKenna, Melin, Morrison, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Rice, Ryan, Scofield, Sorte, Spiegel, Stevens, Stewart, Tyler, Watson, Williams, Wilson and Zuck. Total 66.

Noes: Lambert. Total 1.

Absent and not voting: Anderson (Cascade), Baker, Brower, Byrne, Ekern, Flynn, Freshman, Hess, Hoiness, Horrigan, Lehrkind, Leuthold, Lippard, Loughran, Malee, McFatrige, McLeod, Metlen, Miles, Moss (Flathead), Moss (Custer), Murray, O'Connor, Petersen, Reed, Roehl, Siegling, Smith, Stafford, Stromnes, Sullivan, Vanderbeck, Wenger, Woods and Mr. Speaker. Total 35.

Senate Bill No. 121 was concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beck, Berthot, Bjorneby, Bower, Brown, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Friedl, Gebhardt, Goodwin, Hageman, Hammond, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Listug,

Long, Longenecker, Loughran, Lowe, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, Melin, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Rice, Roehl, Ryan, Scofield, Spiegel, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Williams, Wilson, Zuck. Total 69.

Absent and not voting: Anderson (Cascade), Baker, Beadle, Brower, Byrne, Cole (Prairie), Ekern, Flynn, Freshman, Green, Hess, Hoiness, Horrigan, Lehrkind, Leuthold, Lippard, Lynch, Malee, McLeod, Metlen, Miles, Moss (Flathead), Murray, O'Connor, Reed, Siegling, Smith, Sorte, Stafford, Stromnes, Wenger, Woods and Mr. Speaker. Total 33.

Senate Bill No. 124 was concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Collins, Daniel, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, Morrison, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Rice, Roehl, Ryan, Scofield, Spiegel, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Williams, Wilson, Zuck. Total 70.

Noes: Long. Total 1.

Absent and not voting: Anderson (Cascade), Baker, Byrne, Cole (Prairie), DeDobbeleer, Ekern, Flynn, Freshman, Hess, Hoiness, Horrigan, Lippard, Malee, McLeod, Melin, Metlen, Miles, Moss (Flathead), Moss (Custer), Murray, O'Connor, Reed, Siegling, Smith, Sorte, Stafford, Stevens, Stromnes, Wenger, Woods and Mr. Speaker. Total 31.

Senate Bill No. 132 was concurred in by the following vote:

Ayes: Acton, Antrim, Armstrong, Aronson, Balgord, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Clark, Collins, Daniel, DeDobbeleer, D'Ewart, Emswiler, Findlater, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, James, Kellogg, Lambert, Lehrkind, Liggett, Listug, Loughran, Lowe, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Petersen, Potter, Rice, Ryan, Scofield, Sorte, Spiegel, Stewart, Sullivan, Vanderbeck, Watson, Williams and Zuck. Total 56.

Noes: Cole (Petroleum), Duncan, Dunn, Lynch, Newell, Parker (Wibaux), Siegling, Tyler and Wilson. Total 9.

Absent and not voting: Acher, Anderson (Phillips), Anderson (Cascade), Baker, Beadle, Cannon, Cole (Prairie), Dougherty, Ekern, Flynn, Freshman, Hess, Hoiness, Horrigan, Kirscher, Laubach, Leuthold, Lippard, Long, Longenecker, Malee, Metlen, Miles, Moss (Flathead), Murray, O'Connor, Padbury, Parker (Flathead), Reed, Roehl, Smith, Stafford, Stevens, Stromnes, Wenger, Woods and Mr. Speaker. Total 37.

Senate Bill No. 136 was concurred in by the following vote:

Ayes: Acton, Antrim, Armstrong, Aronson, Balgord, Beck, Bjerneby, Bower, Brower, Brown, Cannon, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Emswiler, Findlater, Gebhardt, Goodwin, Green, Hageman, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McFatridge, McGee, McKenna, McLeod, Melin, Metlen, Morrison, Newell, Parker (Wibaux), Parker (Flathead), Petersen,

Potter, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Williams, Wilson and Zuck. Total 68.

Noes: Acher, Clark and Horrigan. Total 3.

Absent and not voting: Anderson (Phillips), Anderson (Cascade), Baker, Beadle, Berthot, Byrne, Cole (Prairie), Dunn, Ekern, Flynn, Freshman, Friedl, Hammond, Hess, Lippard, Malee, McClain, Miles, Moss (Flathead), Moss (Custer), Murray, O'Connor, Padbury, Reed, Smith, Stafford, Stromnes, Watson, Wenger, Woods and Mr. Speaker. Total 31.

Senate Bill No. 138 was concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Friedl, Goodwin, Green, Hoiness, James, Kellogg, Kirscher, Lehrkind, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McGee, McLeod, Morrison, Moss (Custer), Newell, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wilson, Zuck. Total 68.

Noes: Horrigan. Total 1.

Absent and not voting: Aronson, Baker, Byrne, Cole (Prairie), Collins, Ekern, Flynn, Freshman, Gebhardt, Hageman, Hammond, Hess, Lambert, Laubach, Leuthold, Lippard, Malee, McClain, McFatrige, McKenna, Melin, Metlen, Miles, Moss (Flathead), Murray, O'Connor, Padbury, Stafford, Stromnes, Wenger, Williams, Woods and Mr. Speaker. Total 33.

Senate Bill No. 158 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brown, Cannon, D'Ewart, Friedl, Goodwin, Green, Hageman, Hoiness, James, Kellogg, Liggett, Listug, Longenecker, Loughran, Lowe, McCarthy, McLeod, Newell, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Sorte, Spiegel, Stevens, Sullivan, Tyler, Vanderbeck, Wilson. Total 43.

Noes: Armstrong, Brower, Clark, Cole (Petroleum), Collins, Daniel, Duncan, Emswiler, Findlater, Gebhardt, Hammond, Horrigan, Laubach, Long, Lynch, Martin, McGee, Morrison, Moss (Custer), Padbury, Parker (Flathead), Siegling, Stewart, Watson and Zuck. Total 25.

Absent and not voting: Acher, Anderson (Cascade), Baker, Byrne, Cole (Prairie), DeDobbeleer, Dougherty, Dunn, Ekern, Flynn, Freshman, Hess, Kirscher, Lambert, Leuthold, Lippard, Malee, McClain, McFatrige, McKenna, Melin, Metlen, Miles, Moss (Flathead), Murray, O'Connor, Smith, Stafford, Stromnes, Wenger, Williams, Woods and Mr. Speaker. Total 34.

Senate Bill No. 165 was concurred in by the following vote:

Ayes: Acher, Acton, Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Brower, Brown, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, James, Kellogg, Laubach, Leuthold, Liggett, Long, Loughran, Lowe, Lynch, Martin, McFatrige, McGee, Melin, Morrison, Moss (Custer), Newell, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stevens, Tyler, Vanderbeck, Watson, Wilson and Zuck. Total 65.

Noes: Parker (Flathead). Total 1.

Absent and not voting: Anderson (Phillips), Anderson (Cascade), Baker, Bower, Byrne, Cole (Prairie), Dougherty, Ekern, Flynn, Hess, Horrigan, Kirscher, Lambert, Lehrkind, Lippard, Listug, Longenecker, Malee, McCarthy, McClain, McKenna, McLeod, Metlen, Miles, Moss (Flathead), Murray, O'Connor, Padbury, Stafford, Stewart, Stromnes, Sullivan, Wenger, Williams, Woods and Mr. Speaker. Total 36.

Senate Bill No. 176 was concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Antrim, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Findlater, Friedl, Gebhardt, Goodwin, Green, Hageman, Hoiness, James, Kellogg, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Loughran, Lowe, Lynch, Martin, McClain, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Siegling, Spiegel, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Wilson and Zuck. Total 67.

Noes: Armstrong, Clark, Cole (Petroleum) and Rice. Total 4.

Absent and not voting: Anderson (Cascade), Baker, Byrne, Cole (Prairie), Dougherty, Flynn, Freshman, Hammond, Hess, Horrigan, Kirscher, Lippard, Longenecker, Malee, McCarthy, McFatridge, Metlen, Miles, Moss (Flathead), Murray, O'Connor, Parker (Flathead), Smith, Sorte, Stafford, Stromnes, Watson, Wenger, Williams, Woods and Mr. Speaker. Total 31.

Substitute Senate Bill No. 200 was concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Findlater, Friedl, Gebhardt, Goodwin, Green, Hageman, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Loughran, Lowe, Lynch, Martin, McClain, McFatridge, McGee, McLeod, Melin, Morrison, Moss (Custer), Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stevens, Stewart, Tyler, Vanderbeck, Watson, Zuck. Total 68.

Noes: Cannon, Newell, Padbury, Smith, Sullivan and Wilson. Total 6.

Absent and not voting: Baker, Byrne, Cole (Prairie), Dougherty, Flynn, Freshman, Hammond, Hess, Horrigan, Lippard, Longenecker, Malee, McCarthy, McKenna, Metlen, Miles, Moss (Flathead), Murray, O'Connor, Parker (Wibaux), Parker (Flathead), Petersen, Stafford, Stromnes, Wenger, Williams, Woods and Mr. Speaker. Total 28.

Senate amendments to House Bill No. 200 were concurred in by the following vote:

Ayes: Acher, Anderson (Phillips), Antrim, Armstrong, Aronson, Beadle, Beck, Berthot, Bower, Brower, Brown, Collins, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Findlater, Friedl, Gebhardt, Goodwin, Green, Hageman, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Longenecker, Loughran, Lowe, Lynch, McClain, McFatridge, Morrison, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Scofield, Siegling, Smith, Sorte, Stevens, Tyler, Vanderbeck, Watson, Wilson and Zuck. Total 59.

Noes: Acton, Anderson (Cascade), Bjerneby, Cannon, Clark, Cole (Petroleum), Daniel, Horrigan, Martin, McGee, McLeod, Melin, Moss (Custer) Rice, Ryan, Spiegel, Stewart and Sullivan. Total 18.

Absent and not voting: Baker, Balgord, Byrne, Cole (Prairie), Dougherty, Flynn, Freshman, Hammond, Hess, Lippard, Long, Malee, McCarthy, McKenna, Metlen, Miles, Moss (Flathead), Murray, O'Connor, Stafford, Stromnes, Wenger, Williams, Woods and Mr. Speaker. Total 25.

MOTIONS AND RESOLUTIONS

It was moved by Metlen, duly seconded and carried, that Senate Bill No. 169 be taken from Third Reading and referred to the Committee on Revenue and Taxation.

It was moved by Dougherty, duly seconded and carried, that Senate Bill No. 206 be taken from Third Reading and placed on General Orders.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 203, 111, 356, 183, 351, Substitute House Bill No. 58, Substitute House Bill No. 53, House Bill No. 385, 205, 245, Substitute House Bill 252, and Substitute House Bill No. 14, having been read three several times, title and history agreed to as amended, are herewith returned to the House for concurrence in Senate amendments.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 358, 299, 127, 357, 246, 407, and Substitute House Bill No. 393, having been read three several times, title and history agreed to and concurred in are herewith returned to the House.

Respectfully,

GEORGE A. BURR.

Secretary of the Senate.

It was moved by McLeod, duly seconded and carried, that the House recess until 3:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration, Senate Bill No. 153, respectfully report as follows: That Senate Bill No. 153 be not concurred in.

LAMBERT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration Senate Bill No. 198, respectfully report as follows: That Senate Bill No. 198 be not concurred in.

SORTE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 94, respectfully report as follows: That Senate Bill No. 94 be not concurred in.

MALEE, Chairman.

Report adopted.

The Speaker appointed Conference Committees to act with like committees from the Senate as follows:

Senate Amendments to House Bill No. 161—Smith, Melin and Beadle.

House Amendments to Senate Bill No. 149—Parker (Wibaux), Hoiness and Cole (Prairie).

House Amendments to Senate Bill No. 59—Berthot, Smith and Williams.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate did on this day upon motion duly adopted refuse to accede to the request of the House for the return of Senate Bill No. 207.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate did on this day upon motion duly adopted accede to the request of the House for the return of Senate Bill No. 60 and the same is herewith transmitted to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate did on this day upon motion duly adopted accede to the request of the House for the return of Senate Bill No. 142 and the same is herewith transmitted to the House.

Respectfully,

GEORGE A. BURR.

Secretary to the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Smith, duly seconded and carried, that the House reconsider its action on Senate Bill No. 60.

It was moved by Smith, duly seconded and carried, that Senate Bill No. 60 be placed on General Orders.

It was moved by Hoiness, duly seconded and carried, that the House reconsider its action on Senate Bill No. 142.

It was moved by Hoiness, duly seconded and carried, that Senate Bill No. 142 be placed on General Orders.

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Bills Nos. 366, 273, 143, 209, 423, 239, 409 and House Joint Memorial No. 18.

COLE, Vice-chairman.

Report adopted.

I have examined House Bill No. 409 introduced by me and find the same to be correct.

BAKER.

I have examined House Bill No. 239, introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 423 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Joint Memorial No. 18 introduced by me and find the same to be correct.

D'EWART.

I have examined House Bill No. 209 introduced by me and find the same to be correct.

LYNCH.

I have examined House Bill No. 143 introduced by me and find the same to be correct.

SMITH.

I have examined House Bill No. 273 introduced by me and find the same to be correct.

MURRAY.

I have examined House Bill No. 366 introduced by me and find the same to be correct.

BOWER.

The Speaker signed the following in Open Session: House Bills Nos. 366, 273, 143, 209, 423, 239, 409, and House Joint Memorial No. 18; Senate Bills Nos. 77, 172, 39, 107, 99, 150, 161, 210 and 188.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Spiegel in the Chair. Committee arose.

House resumed. Speaker Pro tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Amendments to House Bill No. 31 be concurred in.

That Senate Bills Nos. 23, 46 and 86 be not concurred in.

That Senate Bills Nos. 118 and 166 be concurred in.

That Senate Bill No. 177 be not concurred in.

That Senate Bill No. 206 be amended as follows: Amend by adding a new Section after Section 1 to read as follows: "Section 2. All executions hereunder shall be held between the hours of 7 A. M. and 7 P. M." and renumber the subsequent sections accordingly. And as amended be concurred in.

That Senate Bill No. 60 be concurred in.

That Senate Bill No. 142 be amended as follows: Amend the title by striking the period and quotation marks after the word Act in line 9 and adding the following: "and to validate the proceedings and provide for deeds to be issued and validated under tax deed proceedings already initiated."

Amend Section 1 by striking the period and quotation marks after the word "tendered" in line 14 and add the following: "and further provided that in all cases where the amount of taxes then due has been noticed to the parties interested and published in accordance with the laws then in effect and the taxes remain unpaid, tax deed may be issued under such proceedings already so initiated and when so issued and delivered, such deeds shall be within the intent and purview of this Act." And as amended be concurred in.

SPIEGEL, Chairman.

It was moved by Spiegel, duly seconded, that the report of the committee be adopted.

On substitute motion, it was moved by James, duly seconded, that Senate Bill No. 46 be segregated from the report. A Call of the House was ordered by the required number.

On motion by Smith, duly seconded and carried, Call of the House was dispensed with. A roll call, to be entered on the Journal, was requested by the required number, and motion to segregate Senate Bill No. 46 was lost by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Balgord, Beadle, Beck, Berthot, Bjerneby, Brown, Cannon, Clark, Daniel, DeDobbeleer, D'Ewart, Ekern, Findlater, Hess, James, Kirscher, Lambert, Laubach, Liggett, Longenecker, Martin, McKenna, Melin, Parker (Flathead), Petersen, Rice, Ryan, Scofield, Stevens, Sullivan, Vanderbeck and Zuck. Total 35.

Noes: Anderson (Cascade), Armstrong, Aronson, Brower, Cole (Petroleum), Dougherty, Duncan, Dunn, Emswiler, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, Kellogg, Lehrkind, Leuthold, Listug, Long, Loughran, Lowe, Lynch, Malee, McCarthy, McClain, McGee, McLeod, Metlen, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Potter, Reed, Roehl, Siegling, Smith, Spiegel, Stewart, Tyler, Williams, Wilson and Mr. Speaker. Total 49.

Absent and not voting: Acher, Baker, Bower, Byrne, Cole (Prairie), Flynn, Lippard, McFatridge, Miles, Moss (Flathead), O'Connor, Sorte, Stafford, Stromnes, Watson, Wenger and Woods. Total 17.

Passed their vote: Collins. Total 1.

It was moved by Ryan, duly seconded, that Senate Bill No. 23 be segregated from the committee report. A roll call, to be entered on the Journal, was requested by the required number, and motion to segregate was carried by the following vote:

Ayes: Anderson (Cascade), Balgord, Beadle, Beck, Berthot, Bjerneby, Brown, Cannon, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Freshman, Friedl, Gebhardt, Goodwin, Hess, Horrigan, James, Lambert, Liggett, Long, Loughran, Malee, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Moss (Custer), Murray, Parker (Wibaux), Rice, Ryan, Siegling, Spiegel, Stevens, Sullivan, Tyler, Williams and Zuck. Total 43.

Noes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Brower, Byrne, Clark, Cole (Petroleum), Collins, Duncan, Emswiler, Findlater, Green, Hageman, Hammond, Hoiness, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Listug, Longenecker, Lowe, Lynch, Melin, Newell, Padbury, Parker (Flathead), Petersen, Potter, Reed, Roehl, Scofield, Smith, Stewart, Vanderbeck and Wilson. Total 40.

Absent and not voting: Acher, Bower, Cole (Prairie), Ekern, Flynn, Lippard, McFatridge, Metlen, Miles, Morrison, Moss (Flathead), O'Connor, Sorte, Stafford, Stromnes, Watson, Wenger, Woods and Mr. Speaker. Total 19.

It was moved by Hoiness, duly seconded and carried, that Senate Bill No. 177 be segregated from the report of the Committee of the Whole.

It was moved by Longenecker, duly seconded, that Senate Bill No. 86 be segregated from the report. A roll call, to be entered in the Journal, was requested by the required number, and motion was lost by the following vote:

Ayes: Anderson (Phillips), Antrim, Armstrong, Balgord, Beck, Berthot, Bjerneby, Daniel, DeDobbeleer, Hess, James, Kirscher, Lambert,

Longenecker, Lowe, Lynch, McKenna, Parker (Flathead), Petersen, Scofield, Stevens, Vanderbeck and Zuck. Total 23.

Noes: Acton, Anderson (Cascade), Aronson, Beadle, Brower, Brown, Cannon, Clark, Cole (Petroleum), Collins, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Horrigan, Kellogg, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Loughran, Malee, Martin, McCarthy, McGee, McLeod, Melin, Metlen, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Potter, Reed, Rice, Roehl, Ryan, Siegling, Smith, Spiegel, Stewart, Sullivan, Tyler, Williams and Wilson. Total 58.

Absent and not voting: Acher, Baker, Bower, Byrne, Cole (Prairie), Ekern, Flynn, Lippard, McClain, McFatridge, Miles, Morrison, Moss (Flathead), O'Connor, Sorte, Stafford, Stromnes, Watson, Wenger, Woods and Mr. Speaker. Total 21.

Whereupon, Committee of the Whole report was adopted as amended.

MOTIONS AND RESOLUTIONS

It was moved by Cannon, duly seconded, that further consideration of Senate Bill No. 177 be tabled. A roll call, to be entered on the Journal was requested by the required number, and motion carried by the following vote:

Ayes: Acher, Anderson (Cascade), Antrim, Balgord, Beadle, Bjorneby, Brower, Cannon, Clark, Cole (Petroleum), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Friedl, Gebhardt, Green, Hageman, Hess, Horrigan, James, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Lynch, Malee, Martin, McGee, McLeod, Melin, Moss (Custer), Murray, Newell, Parker (Wibaux), Reed, Rice, Roehl, Scofield, Siegling, Smith, Spiegel, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Wilson and Mr. Speaker. Total 59.

Noes: Acton, Anderson (Phillips), Beck, Berthot, Brown, Daniel, Freshman, Goodwin, Hammond, Hoiness, Lowe, McCarthy, McKenna, Metlen, Padbury, Petersen, Potter, Ryan, Zuck. Total 19.

Absent and not voting: Armstrong, Aronson, Baker, Bower, Byrne, Cole (Prairie), Ekern, Flynn, Lambert, Loughran, McClain, McFatridge, Miles, Morrison, Moss (Flathead), O'Connor, Parker (Flathead), Sorte, Stafford, Stromnes, Watson, Wenger, Williams, Woods. Total 24.

It was moved by Longenecker, duly seconded, that further consideration of Senate Bill No. 23 be indefinitely postponed. A Call of the House was ordered by the required number.

On motion, duly seconded and carried, Call of the House was dispensed with. A roll call was demanded by the required number.

On substitute motion, by McLeod, duly seconded and carried, the House recessed until 8:00 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

MESSAGES FROM THE GOVERNOR

Mr. Speaker: This is to advise that the Governor has this day approved House Bills Nos. 354 by Kellogg, 237 by D'Ewart and Metlen, 29 by Balgord, 121 by Judiciary Committee, 163 by Hess, 73 by Highway Committee and the same have been filed with the Secretary of State and copies thereof with the clerk of the Supreme Court.

Respectfully yours,

JOHN J. JEWELL.

Secretary to the Governor.

THIRD READING

The following, having been read three several times, history and title agreed to, were disposed of as follows:

Senate Amendments to House Bill No. 31 were concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Bjorneby, Brower, Brown, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Friedl, Gebhardt, Goodwin, Hageman, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Listug, Long, Longenecker, Lynch, Martin, McCarthy, McKenna, Melin, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Potter, Reed, Roehl, Ryan, Scofield, Siegling, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Williams, Wilson, Zuck and Mr. Speaker. Total 62.

Noes: Green, Petersen. Total 2.

Absent and not voting: Acher, Baker, Berthot, Bower, Byrne, Cannon, Ekern, Flynn, Freshman, Hammond, Hess, Hoiness, Horrigan, Lehrkind, Leuthold, Lippard, Loughran, Lowe, Malee, McClain, McFatridge, McGee, McLeod, Metlen, Miles, Moss (Flathead), O'Connor, Parker (Flathead), Rice, Smith, Sorte, Spiegel, Stafford, Stromnes, Watson, Wenger and Woods. Total 37.

Passed their vote: Acton. Total 1.

Senate Bill No. 206 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Brower, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Emswiler, Findlater, Gebhardt, Green, Hageman, James, Kellogg, Lambert, Laubach, Liggett, Listug, Longenecker, Lynch, Martin, McClain, McKenna, Melin, Morrison, Moss (Custer), Parker (Wibaux), Petersen, Potter, Reed, Roehl, Scofield, Siegling, Stevens, Stewart, Tyler, Vanderbeck, Williams, Zuck. Total 50.

Noes: Cannon, Clark, Dougherty, Goodwin, Long, Loughran, McCarthy, McGee, Murray, Newell, Ryan, Smith, Sullivan and Wilson. Total 14.

Absent and not voting: Acher, Antrim, Baker, Bower, Brown, Byrne, Dunn, Ekern, Flynn, Freshman, Friedl, Hammond, Hess, Hoiness, Horrigan, Kirscher, Lehrkind, Leuthold, Lippard, Lowe, Malee, McFatridge, McLeod, Metlen, Miles, Moss (Flathead), O'Connor, Padbury, Parker (Flathead), Rice, Sorte, Spiegel, Stafford, Stromnes, Watson, Wenger, Woods and Mr. Speaker. Total 38.

Senate Bill No. 118 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Bjorneby, Brower, Brown, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Emswiler, Findlater, Friedl, Gebhardt, Goodwin, Green, Hageman, James, Kellogg, Kirscher, Lambert, Laubach, Liggett, Listug, Long, Longenecker, Loughran, Lynch, Martin, McCarthy, McClain, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Smith, Sorte, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Williams, Wilson, Zuck and Mr. Speaker. Total 67.

Noes: Duncan, McGee, Siegling. Total 3.

Absent and not voting: Acher, Anderson (Cascade), Baker, Berthot, Bower, Byrne, Cannon, Ekern, Flynn, Freshman, Hammond, Hess, Hoiness, Horrigan, Lehrkind, Leuthold, Lippard, Lowe, Malee, McFatridge, Metlen, Miles, Moss (Flathead), O'Connor, Parker (Flathead), Rice, Spiegel, Stafford, Stromnes, Watson, Wenger and Woods. Total 32.

Senate Bill No. 166 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Bjorneby, Brower, Brown, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Emswiler, Findlater, Friedl, Gebhardt, Goodwin, Green, Hageman, James, Kellogg, Lambert, Laubach, Liggett, Listug, Longenecker, Loughran, Lynch, Martin, McCarthy, McClain, McGee, McKenna, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Williams, Wilson, Zuck and Mr. Speaker. Total 66.

Noes: Duncan and Long. Total 2.

Absent and not voting: Acher, Baker, Berthot, Bower, Byrne, Cannon, Ekern, Flynn, Freshman, Hammond, Hess, Hoiness, Horrigan, Kirscher, Lehrkind, Leuthold, Lippard, Lowe, Malee, McFatridge, McLeod, Melin, Metlen, Miles, Moss (Flathead), O'Connor, Parker (Flathead), Rice, Spiegel, Stafford, Stromnes, Watson, Wenger, Woods. Total 34.

Senate Bill No. 60 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Bjorneby, Brower, Brown, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Friedl, Gebhardt, Goodwin, Green, Hageman, James, Kellogg, Kirscher, Lambert, Liggett, Listug, Long, Longenecker, Loughran, Lynch, McCarthy, McClain, McGee, McKenna, Melin, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Siegling, Sorte, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Williams, Wilson, Zuck. Total 64.

Absent and not voting: Acher, Anderson (Cascade), Baker, Berthot, Bower, Byrne, Cannon, Ekern, Flynn, Freshman, Hammond, Hess, Hoiness, Horrigan, Laubach, Lehrkind, Leuthold, Lippard, Lowe, Malee, Martin, McFatridge, McLeod, Metlen, Miles, Moss (Flathead), Murray, O'Connor, Parker (Flathead), Rice, Smith, Spiegel, Stafford, Stromnes, Watson, Wenger, Woods and Mr. Speaker. Total 38.

Senate Bill No. 142 was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Balgord, Beck, Bjorneby, Brower, Brown, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Friedl, Gebhardt, Goodwin, Green, Hageman, James, Kellogg, Kirscher, Laubach, Liggett, Listug, Long, Longenecker, Loughran, Lynch, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Morrison, Murray, Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Williams, Wilson, Zuck, Mr. Speaker. Total 67.

Noes: Smith. Total 1.

Absent and not voting: Acher, Armstrong, Baker, Beadle, Berthot, Bower, Byrne, Cannon, Ekern, Flynn, Freshman, Hammond, Hess, Hoiness, Horrigan, Lambert, Lehrkind, Leuthold, Lippard, Lowe, Malee, McFatridge,

Metlen, Miles, Moss (Flathead), Moss (Custer), O'Connor, Parker (Flathead), Spiegel, Stafford, Stromnes, Watson, Wenger and Woods. Total 34.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

James in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Bill No. 23 be not concurred in.

That Senate Amendments to House Bills Nos. 97, 135, 151 and 159 be concurred in.

That Senate Amendments to House Bill No. 186 be not concurred in and that a conference committee be appointed in the House and a like committee requested from the Senate.

That Senate Amendments to House Bill No. 256, 259 and 317 be concurred in.

That Senate Amendments to Substitute House Bill No. 170 be not concurred in and that a conference committee be appointed in the House and a like committee requested from the Senate.

That Senate Amendments to Substitute House Bill No. 14 be not concurred in and that a conference committee be appointed in the House and a like committee requested from the Senate.

That Senate Amendments to Substitute House Bill No. 53 be not concurred in and that a conference committee be appointed in the House and a like committee requested from the Senate.

That Senate Amendments to Substitute House Bills Nos. 58, 252 and 337 be concurred in.

That Senate Amendments to House Bill No. 111 be concurred in.

That Senate Amendments to House Bill No. 183 be not concurred in and that a conference committee be appointed in the House and a like committee requested from the Senate.

That Senate Amendments to House Bills Nos. 203, 205, 245, 351 and 356 be concurred in.

That Senate Amendments to House Bill No. 385 be not concurred in and that a conference committee be appointed in the House and a like committee requested from the Senate.

It was moved by James, duly seconded, that the report of the committee be adopted.

On substitute motion, it was moved by Ryan, duly seconded, that Senate Bill No. 23 be segregated from the report. A roll call, to be entered in the Journal, was requested by the required number, and motion to segregate lost by the following vote:

Ayes: Anderson (Cascade), Balgord, Bjerneby, Bower, Brown, Cannon, DeDobbeleer, D'Ewart, Dougherty, Dunn, Friedl, Goodwin, Hess, James, Lambert, Liggett, Long, Loughran, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Moss (Custer), Murray, Parker (Wibaux), Petersen, Rice, Ryan, Spiegel, Stevens, Sullivan, Tyler, Wenger and Mr. Speaker. Total 36.

Noes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Beck, Brower, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, Duncan, Ekern, Emswiler, Findlater, Gebhardt, Green, Hageman, Horrigan, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Listug,

Longenecker, Lowe, Lynch, Melin, Metlen, Morrison, Newell, O'Connor, Potter, Reed, Roehl, Scofield, Smith, Sorte, Stewart, Vanderbeck, Williams, Wilson and Zuck. Total 47.

Absent and not voting: Acher, Beadle, Berthot, Flynn, Freshman, Hammond, Hoiness, Lippard, Malee, McFatrige, Miles, Moss (Flathead), Padbury, Parker (Flathead), Siegling, Stafford, Stromnes, Watson and Woods. Total 19.

Whereupon report of the Committee of the Whole was adopted.

MOTIONS AND RESOLUTIONS

It was moved by Smith, duly seconded and carried, that the House request the Honorable Senate for the return of Senate Bill No. 88.

It was moved by McLeod, duly seconded and carried, that Senate Bill No. 24 be taken from the Committee on Public Morals, Charities and Reforms and referred to General Orders.

INTRODUCTION OF BILLS

The following, having been read first and second time, was referred to the Committee on Revenue and Taxation.

Senate Substitute for House Bill No. 115, introduced by Committee on Judiciary:

A Bill for an Act entitled: "An Act relating to the granting of relief from mortgage foreclosures and from execution sales of real estate, providing for extending the period of redemption from said mortgage foreclosures and execution sales, and designating the procedure to obtain such relief and the authority of courts in relation thereto; limiting the right to maintain actions for deficiency judgments; extending the expiration of certain periods of redemption, and repealing all Acts and parts of Acts in conflict herewith."

Referred to Committee on Revenue and Taxation.

It was moved by McLeod, duly seconded and carried, that the House recess for five minutes.

House resumed. Speaker Pro tem in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Senate Substitute for House Bill No. 115, respectfully report as follows: That Senate Substitute for House Bill No. 115 be concurred in.

METLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 169, respectfully report as follows: That Senate Bill No. 169 be not concurred in.

METLEN, Chairman.

Report adopted.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

James in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Bill No. 24 be not concurred in.

That Senate Substitute for House Bill No. 115 be concurred in.

JAMES, Chairman.

Report adopted.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Special Investigating Committee appointed for the purpose of investigating all elective and appointive State Officers, Offices, Boards, Bureaus, Departments, Commissions and Institutions, wish at this time to make a partial report on the activities of said committee.

Our committee was advised of various rumors concerning moneys which had been paid or purported to have been paid to a certain official of the State of Montana as protection money by certain individuals desirous of installing and operating slot machines in the State of Montana.

The matter was referred to a sub-committee for the purpose of investigating said rumors in order to ascertain whether or not there was any foundation therefor. The sub-committee subpoenaed and examined a large number of witnesses, and there was considerable evidence produced which tended to substantiate said rumors, all of which said testimony was reduced to writing and is a part of the records and files of this committee. For the sake of brevity we will not narrate in this report the substance of the testimony with reference to a great number of the rumors, but will confine this report to the testimony relative to one particular transaction.

The testimony before said sub-committee disclosed that about the middle of January, 1937, one William McCrone, a resident of Silver Bow County, approached an individual from the State of Washington who was representing a novelty company, and informed this gentleman that he was well acquainted with the Attorney General of the State of Montana; that he had known him for years, and that if his acquaintanceship with the Attorney General of the State of Montana could be of any assistance to this individual or his company, he, the said McCrone, would be glad to introduce them to the Attorney General. A day or so later he again approached said representative and inquired whether or not he would be interested in going to Helena in order to interview the Attorney General, Mr. Freebourn. Said representative accompanied him to Helena and the Capitol building, and Mr. McCrone went into Freebourn's office. That same day the representative called his principal upon the telephone and inquired whether or not he would be interested in interviewing the Attorney General. Later said representative was informed that Mr. Freebourn would require a payment of Ten Thousand Dollars in cash to him if said novelty company were to be allowed to operate slot machines in the State of Montana. The representative immediately contacted his principal and informed him thereof. On the 29th day of January, the head of the novelty company came to Butte, Montana, and that evening gave to McCrone and delivered to him a bank draft for Six Thousand Six Hundred Dollars, to be delivered to Mr. Freebourn, the Attorney General of the State of Montana, as protection money for the right to operate slot machines in the State of Montana. The representative and Mr. McCrone motored to Helena that evening, but returned late at night, and the principal was informed that Mr. Freebourn would not accept the bank draft, but desired the money in bills of small denominations, and said bank draft was then and there returned to the principal. On the 3rd day of February, 1937, Mr. McCrone and the principal and his representative came to Helena, and in the afternoon of said day the principal was introduced to the Attorney General by said McCrone.

The testimony shows that Mr. Freebourn informed the owner of said novelty company that he did not "run the Attorney General's office for his health"; that he was not a chiseler or a cheap skate, and that he would give him a concession to operate slot machines in the state for the sum of Ten Thousand Dollars. That same afternoon the owner of said novelty company handed to Mr. McCrone the sum of Three Thousand Four Hundred Dollars in cash, and Mr. McCrone immediately handed said money to Mr. Freebourn. Mr. Freebourn took the same and later went down town to his apartment with said parties.

The testimony further shows that on or about the 6th day of February, 1937 the further sum of Four Thousand Dollars was transmitted and paid to said Attorney General for the purposes above mentioned, and that on the 20th day of February, 1937, the owner of said novelty company proceeded to Helena, Montana and to the private office of said Harry Freebourn, Attorney General, and that he then and there transmitted and paid to Mr. Freebourn the further sum of Two Thousand Six Hundred Dollars in cash, all of which was accepted by Mr. Freebourn for the purposes hereinbefore mentioned.

Subsequently the owner of said novelty company had some difficulty in placing some of his slot machines in the State of Montana and complained to Mr. McCrone of the fact that Mr. Freebourn had not lived up to his agreement. Later the owner of the novelty company went personally and talked to Mr. Freebourn about the matter, and Mr. Freebourn stated that it would require an additional payment of Three Thousand Dollars, and on the 20th day of May, 1937, said owner of the novelty company handed to Mr. McCrone the sum of One Thousand Dollars in cash, and he and Mr. McCrone proceeded into Mr. Freebourn's office, and Mr. McCrone, then and there, in the presence of said owner of said novelty company, paid to Mr. Freebourn said One Thousand Dollars for the purposes hereinbefore mentioned.

In this report we have not attempted to recite to you the testimony in full, and have merely given you the gist of the testimony of witnesses, who were sworn and testified before said sub-committee, all of which testimony was reduced to writing, and subscribed and sworn to by the various witnesses.

We might state further, however, that William McCrone was sworn and examined by said sub-committee, but when proper inquiry was made of him regarding his knowledge of the aforesaid transaction, he refused to answer upon the ground and for the reason that any answers he might make to said questions might incriminate him, and he said that he elected to stand upon his constitutional rights and refused to testify regarding said matters.

In conclusion this committee desires to state to this body that all of the matters and things hereinbefore set forth can, in its opinion, be fully substantiated by competent evidence. Now therefore, your committee respectfully submits the above findings and recommends as follows:

That the House of Representatives of the Twenty-sixth Legislative Assembly of the State of Montana do proceed forthwith to cause to be done all things necessary to effect the impeachment and removal from office of said Harrison J. Freebourn, Attorney General of the State of Montana.

Respectfully submitted,
BYRNE, Chairman.

It was moved by Byrne, duly seconded and carried, that further consideration of the above report be taken up by the Assembly as a Special Order of Business, in Executive Session, at 10:00 o'clock A. M., Wednesday, March 1st, 1939.

THIRD READING

Speaker Pro Tem in the Chair.

The following Senate Amendments to House Bills were read and disposed of as follows:

Senate Amendments to House Bill No. 151 were concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Baker, Balgord, Beadle, Beck, Bjorneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Freshman, Friedl, Goodwin, Green, Hageman, Hess, James, Kirscher, Lambert, Laubach, Liggett, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Sorte, Spiegel, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Wenger, Williams, Wilson, Zuck and Mr. Speaker. Total 73.

Absent and not voting: Acher, Acton, Aronson, Berthot, Byrne, Cole (Prairie), Flynn, Gebhardt, Hammond, Hoiness, Horrigan, Kellogg, Lehrkind, Leuthold, Lippard, Listug, McGee, Metlen, Miles, Moss (Flathead), O'Connor, Parker (Flathead), Rice, Siegling, Smith, Stafford, Stromnes, Watson and Woods. Total 29.

Senate Amendments to House Bill No. 159 were concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Baker, Beck, Bjorneby, Bower, Brower, Byrne, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Rice, Roehl, Scofield, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Wenger, Williams, Wilson and Zuck. Total 71.

Noes: Brown and Ryan. Total 2.

Absent and not voting: Aronson, Balgord, Beadle, Berthot, Cannon, Cole (Prairie), Flynn, Hammond, Hoiness, Lehrkind, Lippard, McGee, Metlen, Miles, Moss (Flathead), O'Connor, Parker (Flathead), Petersen, Potter, Reed, Siegling, Smith, Sorte, Spiegel, Stafford, Stromnes, Watson, Woods, Mr. Speaker. Total 29.

Senate Amendments to House Bill No. 256 were concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Beadle, Beck, Bjorneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, James, Kellogg, Kirscher, Lambert, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McKenna, Melin, Morrison, Moss (Custer), Newell, Parker (Wibaux), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Siegling, Spiegel, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Wenger, Williams, Wilson and Zuck. Total 70.

Absent and not voting: Acher, Balgord, Berthot, Byrne, Cannon, Cole (Prairie), Ekern, Findlater, Flynn, Freshman, Hammond, Hoiness, Horri-

gan, Laubach, Lippard, McGee, McLeod, Metlen, Miles, Moss (Flathead), Murray, O'Connor, Padbury, Parker (Flathead), Rice, Smith, Sorte, Stafford, Stromnes, Watson, Woods and Mr. Speaker. Total 32.

Senate Amendments to House Bill No. 259 were concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Bjerneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Ekern, Emswiler, Findlater, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, James, Kellogg, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McKenna, McLeod, Melin, Moss (Custer), Murray, Newell, Parker (Wibaux), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Siegling, Spiegel, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Wenger, Williams, Wilson and Zuck. Total 72.

Noes: Duncan and Padbury. Total 2.

Absent and not voting: Acher, Beck, Berthot, Byrne, Cannon, Cole (Prairie), Flynn, Freshman, Hammond, Hoiness, Horrigan, Kirscher, Lippard, McGee, Metlen, Miles, Morrison, Moss (Flathead), O'Connor, Parker (Flathead), Rice, Smith, Sorte, Stafford, Stromnes, Watson, Woods and Mr. Speaker. Total 28.

Senate Amendments to House Bill No. 317 were concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Bjerneby, Bower, Brower, Brown, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dunn, Ekern, Emswiler, Freshman, Friedl, Gebhardt, Goodwin, Green, Hess, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Listug, Long, Longenecker, Loughran, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Roehl, Ryan, Sorte, Spiegel, Stewart, Tyler, Vanderbeck, Wenger, Zuck. Total 64.

Noes: Clark, Duncan, Hageman, Lowe, Newell, Scofield, Stevens, and Wilson. Total 8.

Absent and not voting: Acher, Acton, Beck, Berthot, Byrne, Cannon, Cole (Prairie), Dougherty, Findlater, Flynn, Hammond, Hoiness, Horrigan, Leuthold, Lippard, Metlen, Miles, Moss (Flathead), O'Connor, Parker (Flathead), Rice, Siegling, Smith, Stafford, Stromnes, Sullivan, Watson, Williams, Woods and Mr. Speaker. Total 30.

Senate Amendments to House Bill No. 337 were concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Bjerneby, Bower, Brower, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Ekern, Emswiler, Findlater, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, James, Lambert, Laubach, Lehrkind, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Wenger, Wilson, Zuck, Brown. Total 72.

Noes: Duncan and Kellogg. Total 2.

Absent and not voting: Acher, Acton, Baker, Beck, Berthot, Byrne, Cannon, Cole (Prairie), Flynn, Freshman, Hoiness, Horrigan, Kirscher,

Leuthold, Lippard, Metlen, Miles, Moss (Flathead), O'Connor, Parker (Flathead), Rice, Smith, Stafford, Stromnes, Watson, Woods and Mr. Speaker. Total 27.

Passed their vote: Williams. Total 1.

Senate Amendments to House Bill No. 111 were concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Balgord, Beck, Bjorneby, Bower, Brower, Byrne, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Friedl, Goodwin, Green, Hageman, Hess, James, Kellogg, Lambert, Laubach, Lehrkind, Liggett, Listug, Longenecker, Loughran, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Roehl, Scofield, Smith, Sorte, Spiegel, Stevens, Stewart, Tyler, Vanderbeck, Wilson and Zuck. Total 67.

Noes: Brown, Gebhardt, Ryan, Siegling, Wenger. Total 5.

Absent and not voting: Acher, Acton, Antrim, Baker, Beadle, Berthot, Cole (Prairie), Flynn, Freshman, Hammond, Hoiness, Horrigan, Kirscher, Leuthold, Lippard, Long, Malee, Metlen, Miles, Moss (Flathead), O'Connor, Parker (Flathead), Rice, Stafford, Stromnes, Sullivan, Watson, Williams, Woods and Mr. Speaker. Total 30.

Senate Amendments to House Bill No. 203 were concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Balgord, Beadle, Beck, Bjorneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Ekern, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Loughran, Lowe, Malee, Martin, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Muray, Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stevens, Tyler, Vanderbeck, Wenger, Williams, Wilson and Zuck. Total 74.

Noes: Duncan and Lynch. Total 2.

Absent and not voting: Acher, Acton, Antrim, Baker, Berthot, Byrne, Cannon, Flynn, Hammond, Hess, Horrigan, Lippard, Longenecker, McCarthy, Metlen, Miles, Moss (Flathead), Parker (Flathead), Rice, Stafford, Stewart, Stromnes, Sullivan, Watson, Woods and Mr. Speaker. Total 26.

Senate Amendments to House Bill No. 351 were concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Bjorneby, Bower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, Horrigan, Kellogg, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Potter, Reed, Ryan, Scofield, Siegling, Smith, Spiegel, Stevens, Vanderbeck, Wenger, Williams, Wilson, Brower, Mr. Speaker. Total 73.

Noes: Lambert. Total 1.

Absent and not voting: Acher, Acton, Baker, Berthot, Byrne, Daniel, Flynn, Hammond, James, Kirscher, Lippard, McCarthy, Metlen, Miles, Moss (Flathead), Parker (Flathead), Petersen, Rice, Roehl, Sorte, Stafford, Stewart, Stromnes, Sullivan, Tyler, Watson, Woods and Zuck. Total 28.

Senate Amendments to House Bill No. 205 were concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Balgord, Bjorneby, Brower, Brown, Cannon, Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Male, Martin, McCarthy, McClain, McFatrige, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Newell, O'Connor, Parker (Wibaux), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Vanderbeck, Wenger, Williams, Wilson, Zuck. Total 67.

Noes: Cole (Petroleum), Emswiler and Freshman. Total 3.

Absent and not voting: Acher, Acton, Antrim, Baker, Beadle, Beck, Berthot, Bower, Byrne, Clark, Findlater, Flynn, Hammond, Horrigan, James, Kellogg, Kirscher, Lippard, Metlen, Miles, Moss (Flathead), Padbury, Parker (Flathead), Rice, Stevens, Stewart, Stromnes, Sullivan, Tyler, Watson, Woods and Mr. Speaker. Total 32.

Senate Amendments to House Bill No. 356 were concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Balgord, Beck, Bjorneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McClain, McFatrige, McGee, McKenna, Melin, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Potter, Reed, Roehl, Ryan, Scofield, Siegling, Smith, Stevens, Stewart, Williams, Wilson and Zuck. Total 68.

Noes: Long. Total 1.

Absent and not voting: Acher, Acton, Aronson, Baker, Beadle, Berthot, Byrne, Dougherty, Ekern, Flynn, Hammond, Horrigan, James, Lippard, McCarthy, McLeod, Metlen, Miles, Moss (Flathead), Parker (Flathead), Petersen, Rice, Sorte, Spiegel, Stafford, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Woods and Mr. Speaker. Total 33.

Senate Amendments to House Bill No. 245 were concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Balgord, Beadle, Bjorneby, Bower, Brower, Brown, Cannon, Clark, Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Emswiler, Freshman, Friedl, Goodwin, Green, Hageman, Hess, Hoiness, Kellogg, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Longenecker, Loughran, Lowe, Lynch, Martin, McFatrige, McGee, McKenna, McLeod, Melin, Morrison, Newell, O'Connor, Padbury, Petersen, Potter, Reed, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stevens, Stewart, Williams and Wilson. Total 63.

Noes: Cole (Petroleum), Long. Total 2.

Absent and not voting: Acher, Aronson, Baker, Beck, Berthot, Byrne, Dougherty, Ekern, Findlater, Flynn, Gebhardt, Hammond, Horrigan, James,

Kirscher, Lippard, Malee, McCarthy, McClain, Metlen, Miles, Moss (Flathead), Moss (Custer), Murray, Parker (Wibaux), Parker (Flathead), Rice, Stafford, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Woods, Zuck and Mr. Speaker. Total 37.

Senate Amendments to House Bill No. 135 were concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Balgord, Beadle, Beck, Bjorneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Dunn, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Goodwin, Hageman, Hess, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Martin, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Morrison, Newell, O'Connor, Padbury, Petersen, Reed, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stevens, Stewart, Wenger, Williams, Wilson and Zuck. Total 65.

Noes: Green. Total 1.

Absent and not voting: Acher, Anderson (Cascade), Aronson, Baker, Berthot, Byrne, Cannon, Dougherty, Ekern, Flynn, Hammond, Hoiness, Horrigan, James, Kellogg, Kirscher, Lippard, Malee, McCarthy, Metlen, Miles, Moss (Flathead), Moss (Custer), Murray, Parker (Wibaux), Parker (Flathead), Potter, Rice, Stafford, Stromnes, Sullivan, Tyler, Vanderbeck, Watson, Woods and Mr. Speaker. Total 36.

Senate Amendments to House Bill No. 97 were concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Balgord, Beadle, Beck, Bjorneby, Bower, Brower, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dunn, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Longenecker, Loughran, Lowe, Lynch, Martin, McClain, McFatridge, McKenna, McLeod, Morrison, Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Roehl, Scofield, Siegling, Stevens, Stewart, Wenger, Williams, Wilson and Zuck. Total 63.

Noes: Brown, D'Ewart, Duncan, McGee, Moss (Custer), Ryan, Sorte, Spiegel, Vanderbeck. Total 9.

Absent and not voting: Acher, Aronson, Baker, Berthot, Byrne, Cannon, Dougherty, Ekern, Flynn, Hammond, Horrigan, Lippard, Long, Malee, McCarthy, Melin, Metlen, Miles, Moss (Flathead), Murray, Parker (Flathead), Rice, Smith, Stafford, Stromnes, Sullivan, Tyler, Watson, Woods, Mr. Speaker. Total 30.

Senate Amendments to Substitute House Bill No. 58 were concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beck, Bjorneby, Bower, Brower, Brown, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dunn, Emswiler, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Martin, McClain, McFatridge, McGee, McKenna, Melin, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stevens, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck. Total 72.

Noes: Duncan, Lynch. Total 2.

Absent and not voting: Acher, Baker, Beadle, Berthot, Byrne, Cannon, Dougherty, Ekern, Findlater, Flynn, Hammond, Horrigan, Lippard, Malee, McCarthy, McLeod, Metlen, Miles, Moss (Flathead), Parker (Flathead), Rice, Smith, Stafford, Stewart, Stromnes, Sullivan, Woods, Mr. Speaker. Total 28.

Senate Amendments to House Bill No. 252 were concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Bjorneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dunn, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Goodwin, Hageman, Hess, Hoiness, James, Kellogg, Lambert, Laubach, Lehrkind, Liggett, Listug, Long, Longenecker, Loughran, Malee, Martin, McClain, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, O'Connor, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Wenger, Williams, Wilson, Zuck. Total 72.

Noes: Duncan, Kirscher, Leuthold and Newell. Total 4.

Absent and not voting: Acher, Baker, Berthot, Byrne, Dougherty, Ekern, Flynn, Green, Hammond, Horrigan, Lippard, Lowe, Lynch, McCarthy, McFatrige, Metlen, Miles, Moss (Flathead), Parker (Flathead), Rice, Smith, Stafford, Stromnes, Watson, Woods and Mr. Speaker. Total 26.

Senate Substitute for House Bill No. 115 having been read three several times, history and title agreed to, was concurred in by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Cole (Petroleum), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Emswiler, Findlater, Gebhardt, Goodwin, Green, Hageman, Hess, James, Kellogg, Kirscher, Lambert, Laubach, Leuthold, Liggett, Listug, Long, Loughran, Lowe, Lynch, Malee, Martin, McClain, McFatrige, McKenna, McLeod, Melin, Metlen, Morrison, Murray, Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stevens, Stewart, Sullivan, Tyler, Wenger, Williams, Wilson and Zuck. Total 73.

Noes: D'Ewart and Longenecker. Total 2.

Absent and not voting: Acher, Berthot, Clark, Cole (Prairie), Ekern, Flynn, Freshman, Friedl, Hammond, Hoiness, Horrigan, Lehrkind, Lippard, McCarthy, McGee, Miles, Moss (Flathead), Moss (Custer), O'Connor, Parker (Flathead), Smith, Stafford, Stromnes, Vanderbeck, Watson, Woods and Mr. Speaker. Total 27.

The Speaker Pro Tem appointed the following conference committees to act with like committee in the Senate:

Senate Amendments to House Bill No. 186—Antrim, Smith and Hoiness.

Senate Amendments to House Bill No. 170—D'Ewart, Murray and Padbury.

Senate Amendments to Substitute House Bill No. 14—James, Byrne and Smith.

Senate Amendments to Substitute House Bill No. 53—Berthot, Williams and Byrne.

Senate Amendments to House Bill No. 183—Metlen, Dougherty and Zuck.

Senate Amendments to House Bill No. 385—Sorte, Hoiness and Zuck.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate has on this date acceded in the request of the House for the return of Senate Bill No. 88 and the bill is herewith transmitted to the House.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate did on this day, upon roll call, concur in the Conference Committee amendments of both the House and Senate, upon House Bill No. 140.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate upon roll call, on this day, did concur in the House amendments upon Senate Bills Nos. 144, 207, Substitute Senate Bill No. 81, Senate Bill No. 61, 115, Substitute Senate Bill No. 119, Senate Bills Nos. 37, 24 and Substitute Senate Bill No. 200.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills having been read three several times, title and history agreed to, as amended, are herewith returned to the House for concurrence in Senate amendments. House Bills Nos. 319, 322, 241, 150, 144, 372 and 133.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 271 and 291 having been read three several times, title and history agreed to, are herewith returned to the House for concurrence.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate did on this day did not concur in the House amendments to Senate Bill No. 125 and the President appointed a Conference Committee of Senators: Senators Campbell (Missoula), Waite and Armstrong, to act with a like committee of the House. The House is hereby requested to appoint a committee to act with the Committee of the Senate, in the consideration of these amendments.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by Smith, duly seconded and carried by the necessary two-thirds majority, that the House reconsider its action on Senate Bill No. 88.

It was moved by Smith, duly seconded and carried, that Senate Bill No. 88 be placed on General Orders.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

James in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bill No. 88 recommend that the same be concurred in.

JAMES, Chairman.

Report adopted.

THIRD READING

Senate Bill No. 88 having been read three several times, history and title agreed to, was concurred in by the following vote:

Ayes: Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Dunn, Ekern, Findlater, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Loughran, Lowe, Martin, McCarthy, McClain, McKenna, McLeod, Melin, Morrison, Moss, (Custer), Newell, O'Connor, Petersen, Potter, Reed, Roehl, Scofield, Smith, Sorte, Spiegel, Stevens, Sullivan, Tyler, Vanderbeck, Williams, Wilson and Mr. Speaker. Total 70.

Noes: Duncan, Emswiler, Hoiness, Longenecker, Malee, McFatrige, McGee, Murray, Ryan, Siegling, Stewart and Zuck. Total 12.

Absent and not voting: Acher, Acton, Baker, Flynn, Freshman, Hess, Lippard, Lynch, Metlen, Miles, Moss (Flathead), Padbury, Parker (Wibaux), Parker (Flathead), Rice, Stafford, Stromnes, Watson, Wenger, Woods. Total 20.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Tuesday, February 28th, 1939, at 10:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

FIFTY-EIGHTH DAY

House of Representatives,
Helena, Montana.
February 28, 1939.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Speaker Pro Tem in the Chair. Invocation by Chaplain.

On roll call, all members present except the following who were excused: Daniel, Flynn. Total 2.

The following members, on the Special Investigating Committee to investigate State Boards and Offices, were excused, to perform the duties of such Committee: Byrne, Moss (Flathead), Spiegel, Hoiness, Hess, O'Connor, Freshman, Baker, Leuthold, Ekern, Stromnes, Lowe, Watson, Malee, Lehrkind.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifty-seventh Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Bills Nos. 407, 415, 217, 299, 357.

COLE (Prairie),
Chairman.

Report adopted.

I have examined Substitute House Bill No. 217 introduced by me and find the same to be correct.

METLEN.

I have examined House Bill No. 357 introduced by me and find the same to be correct.

HESS.

I have examined House Bill No. 299 introduced by me and find the same to be correct.

HAMMOND.

I have examined House Bill No. 407 introduced by me and find the same to be correct.

GOODWIN.

I have examined House Bill No. 415 introduced by me and find the same to be correct.

DOUGHERTY.

The Speaker Pro Tem signed the following in Open Session: House Bills Nos. 407, 415, 217, 299 and 357.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting.

Brown in the Chair. Committee arose.

House resumed. Speaker pro tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Amendments to House Bill No. 241 be not concurred in.

That Senate Amendments to House Bill No. 133 be not concurred in and that a conference committee be appointed by the House and a like committee be requested from the Senate.

That Senate Amendments to House Bill No. 144 be not concurred in and that a conference committee be appointed by the House and a like committee be requested from the Senate.

That Senate Amendments to House Bills Nos. 150, and 319 be concurred in.

That Senate Amendments to House Bill No. 322 be not concurred in and that a conference committee be appointed by the House and a like committee be requested from the Senate.

That Senate Amendments to House Bill No. 372 be concurred in.

BROWN, Chairman.

It was moved by Brown, duly seconded, that the report of the Committee of the Whole be adopted. On substitute motion, it was moved by McLeod, duly seconded, that Senate Amendments to House Bill No. 241 be segregated. A roll call, to be entered in the Journal, was requested by the required number, and motion lost by the following vote:

Ayes: Anderson (Cascade), Beadle, Bjorneby, Brown, Byrne, Cannon, DeDobbeleer, Duncan, Freshman, Friedl, Goodwin, James, Leuthold, Long, Loughran, Malee, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Parker (Wibaux), Petersen, Reed, Ryan, Spiegel, Stafford, Stevens, Sullivan, Vanderbeck, Wenger, Beck. Total 37.

Noes: Acher, Acton, Anderson (Phillips), Armstrong, Aronson, Baker, Balgord, Berthot, Bower, Clark, Cole (Petroleum), Collins, Dougherty,

Dunn, Emswiler, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Listug, Lowe, Lynch, McFatridge, Miles, Newell, Parker (Flathead), Potter, Roehl, Scofield, Siegling, Sorte, Tyler, Williams, Wilson, Zuck, Brower. Total 44.

Absent and not voting: Antrim, Cole (Prairie), Daniel, D'Ewart, Ekern, Findlater, Horrigan, Lippard, Longenecker, Metlen, Moss (Flathead), O'Connor, Padbury, Rice, Smith, Stewart, Stromnes, Watson, Woods, Flynn, Mr. Speaker. Total 21.

Whereupon report of the Committee of the Whole was adopted.

MOTIONS AND RESOLUTIONS

It was moved by Brower, duly seconded and carried, that further consideration of House Bill No. 241 and the amendments thereon be indefinitely postponed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate did on this day appoint the following Conference Committees to act with like committees from the House in the consideration of Senate amendments on the following House Bills:

House Bill No. 186:

SIMMONS,
LAMP,
ALVORD.

Substitute House Bill No. 14:

PLUMER,
KATHAN,
MARTIN.

House Bill No. 183:

DRUMHELLER,
CHAPMAN,
ANGVICK.

House Bill No. 170:

ECTON,
ARMSTRONG,
BURKE.

Substitute House Bill No. 53:

BURKE,
METZGER,
LOTT.

House Bill No. 385:

ALVORD,
LAMP,
SIMMONS.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

The Speaker Pro Tem appointed the following conference committees to act with like committees from the Senate:

House Amendments to Senate Bill No. 125—James, Rice and Reed.

Senate Amendments to House Bill No. 133—Moss (Custer), Hageman and Lambert.

Senate Amendments to House Bill No. 144—Brown, Padbury and Malee.

Senate Amendments to House Bill No. 322—Morrison, Armstrong and Stevens.

THIRD READING

The following Senate Amendments to House Bills were read and disposed of as follows:

Senate Amendments to House Bill No. 150 were concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beadle, Beck, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Collins, DeDobbeleer, Dougherty, Duncan, Dunn, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Goodwin, Green, Hammond, Hess, Hoiness, James, Kellogg, Laubach, Lehrkind, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McClain, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Siegling, Sorte, Stafford, Stevens, Stewart, Tyler, Wenger, Williams, Wilson, Zuck. Total 74.

Noes: Sullivan. Total 1.

Absent and not voting: Baker, Berthot, Cannon, Cole (Prairie), Daniel, D'Ewart, Ekern, Flynn, Hageman, Horrigan, Kirscher, Lambert, Leuthold, Lippard, McCarthy, McFatridge, Metlen, Moss (Flathead), O'Connor, Rice, Smith, Spiegel, Stromnes, Vanderbeck, Watson, Woods, Mr. Speaker. Total 27.

Senate Amendments to House Bill No. 319 were concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Aronson, Balgord, Beadle, Beck, Bjorneby, Brower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Collins, DeDobbeleer, Duncan, Dunn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hammond, Hess, Hoiness, James, Lambert, Laubach, Lehrkind, Liggett, Listug, Longenecker, Loughran, Lowe, Lynch, Malee, McClain, McFatridge, McKenna, McLeod, Miles, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford Stevens, Stewart, Sullivan, Vanderbeck, Wenger, Williams, Wilson, Zuck. Total 68.

Noes: Long, Martin, Melin. Total 3.

Absent and not voting: Antrim, Baker, Berthot, Bower, Cole (Prairie), Daniel, D'Ewart, Dougherty, Ekern, Emswiler, Findlater, Flynn, Hageman, Horrigan, Kellogg, Kirscher, Leuthold, Lippard, McCarthy, McGee, Metlen, Morrison, Moss (Flathead), O'Connor, Rice, Smith, Stromnes, Tyler, Watson, Woods, Mr. Speaker. Total 31.

Senate Amendments to House Bill No. 372 were concurred in by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Anderson (Cascade), Armstrong, Balgord, Beadle, Beck, Berthot, Bjorneby, Brower, Brown, Byrne, Clark, Cole (Petroleum), Collins, DeDobbeleer, Dougherty, Duncan, Dunn,

Emswiler, Freshman, Friedl, Gebhardt, Goodwin, Green, Hammond, Hess, Hoiness, James, Lambert, Laubach, Lehrkind, Liggett, Listug, Long, Longenecker, Lowe, Lynch, Malee, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Flathead), Murray, Newell, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Spiegel, Stafford, Stewart, Sullivan, Tyler, Vanderbeck, Wenger, Williams, Wilson, Zuck. Total 73.

Absent and not voting: Antrim, Aronson, Baker, Bower, Cannon, Cole (Prairie), Daniel, D'Ewart, Ekern, Findlater, Flynn, Hageman, Horrigan, Kellogg, Kirscher, Leuthold, Lippard, Loughran, Metlen, Moss (Custer), O'Connor, Padbury, Smith, Sorte, Stevens, Stromnes, Watson, Woods, Mr. Speaker. Total 29.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 378, 136, 137, 403, 402, 400, and 373 this day failed in Concurrence in the Senate and are herewith returned to the House.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President did on this date, appoint two committees of three members each, to act with like committees from the House for the consideration of Senate Amendments to House Bill No. 144 and House Bill No. 133. Thereupon the President appointed the following Senators to act as such Conference Committees:

For the consideration of Senate Amendments to House Bill No. 144: Senators Ruffcorn, Smith, and Ecton.

For the consideration of Senate Amendments to House Bill No. 133: Senators Kaulbach, Baker (Dawson), Martin.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

It was moved by McLeod, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Bills Nos. 36, 200, 246, 287, 288, 271 and 291, Substitute House Bill No. 393 and House Memorial No. 2.

COLE (Prairie), Vice-Chairman.

Report adopted.

I have examined House Bill No. 291 introduced by me and find the same to be correct.

ANDERSON (Phillips).

I have examined House Bill No. 36 introduced by me and find the same to be correct.

METLEN.

I have examined House Bill No. 200 introduced by me and find the same to be correct.

LONGENECKER

I have examined House Bill No. 246 introduced by me and find the same to be correct.

MORRISON

I have examined House Bill No. 287 introduced by me and find the same to be correct.

I have examined House Bill No. 288 introduced by me and find the same to be correct.

STROMNES

I have examined House Bill No. 393 introduced by me and find the same to be correct.

LAMBERT, Chairman.

I have examined House Memorial No. 2 introduced by me and find the same to be correct.

LEHRKIND.

I have examined House Bill No. 271 introduced by me and find the same to be correct.

REED.

The Speaker signed the following in Open Session: Substitute House Bill No. 393, House Memorial No. 2, and House Bills Nos. 36, 200, 246, 287, 288, 271, and 291.

REPORTS OF SPECIAL COMMITTEES

Mr. Speaker: We, your Conference Committee on Senate Amendments to House Bill No. 144, do hereby respectfully report as follows:

That the House concurs in the said Senate Amendments thereto.

PADBURY,
BROWN,

For the House.

RUFFCORN,
ECTON,

For the Senate.

Report of conference committee on Senate Amendments to House Bill No. 144 was adopted by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Bjerneby, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Goodwin, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker, (Flathead), Petersen, Potter, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Wenger, Wilson, Zuck. Total 80.

Absent and not voting: Anderson (Cascade), Antrim, Berthot, Bower, Byrne, Daniel, Flynn, Green, Hageman, Horrigan, Lambert, Lippard, Mar-

tin, Metlen, O'Connor, Reed, Stafford, Stromnes, Watson, Williams, Woods, Mr. Speaker. Total 22.

Mr. Speaker: We, your Conference Committee, appointed to consider Senate amendment to House Bill 385, respectfully report and recommend as follows:

That the Senate recede from its amendment to House Bill No. 385.

SORTE,
HOINESS,
ZUCK,
For the House.

ALVORD,
LAMP,
SIMMONS,
For the Senate.

Report of Conference Committee on Senate Amendments to House Bill No. 385 was adopted by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Armstrong, Aronson, Balgord, Beadle, Beck, Bjorneby, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Goodwin, Green, Hammond, Hess, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Miles, Moss (Flathead), Moss (Custer), Murray, Newell, Padbury, Parker, Wibaux), Parker (Flathead), Petersen, Potter, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Sullivan, Tyler, Vanderbeck, Wenger, Wilson, Woods, Zuck. Total 78.

Absent and not voting: Anderson (Cascade), Antrim, Baker, Berthot, Bower, Byrne, Daniel, Flynn, Hageman, Hoiness, Horrigan, Lippard, Malee, Martin, Melin, Metlen, Morrison, O'Connor, Reed, Stewart, Stromnes, Watson, Williams, Mr. Speaker. Total 24.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker and Members of the Twenty-Sixth Legislative Assembly:

As you near the completion of your labors for the present session, I am taking the liberty of directing your attention to certain matters which I believe are of highest importance to the people of our State.

In my message, delivered at the beginning of your deliberations, I pointed out that the constitution of Montana specifically prohibits appropriations in excess of the anticipated revenues for the biennium for which said appropriations are made. I feel that the members of this Assembly, as well as myself, are desirous of complying faithfully with this constitutional provision.

I find, however, that the total sum of money sought to be appropriated by bills now pending before the Assembly greatly exceed the most carefully estimates of the State's revenues for the coming biennium. Drastic reductions must be made if the balance enjoined by the constitution is to be maintained.

After carefully considering the situation, it may be seen that the proposed increases over the preceding biennium which will throw the budget out of balance in a sum for the next biennium of more than one million, four hundred thousand dollars are those made in the measures for public welfare and water conservation.

I know we are all of one mind in so far as our desire and determination to provide adequate aid and relief for our aged, unfortunate and unemployed are concerned. However, in view of the fact that many of our unemployed will be brought under the provisions of the Unemployment Compensation Law at the beginning of the next fiscal year and that there will be substantial increase in employment by reason of an enlarged highway construction program made possible by the sale of highway debentures, it is my judgment that a substantial portion of the relief load will be absorbed.

No Bill before you and no amendment has for its object, or strives to reduce any of the present relief standards; on the other hand, your efforts have been to increase them. These efforts have been sincere and laudable and I commend you therefor; but, Ladies and Gentlemen of this Assembly, just how can we stretch one dollar into two?

It is a source of keenest disappointment to me, as I know it is to the members of this Assembly, that a greatly expanded water conservation program cannot be inaugurated with the beginning of the coming biennium. That was to be made possible, however, by some substantial increase in the State's revenues. The Assembly, with proper and commendable regard for the welfare of the taxpayers of the State, have found it impossible to discover acceptable new sources of revenue without increasing our already too heavy burdens. This being the case, there appears no other alternative than to continue our water conservation program at the present level.

Only by taking this action on these measures which carry major expenditures of the state government will it be possible to fulfill our constitutional obligation to match expenditures with estimated revenue.

I regret, and I am sure that you all regret this condition, but we must meet conditions as conditions exist,—actual physical cloth must be cut according to the pattern and if the pattern overlaps and there is no more cloth, then the pattern must be adjusted to fit the existing cloth.

Respectfully submitted the 28th day of February, 1939.

ROY E. AYERS,
Governor of Montana.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President appointed on this date a committee of three members from the Senate to act with a like committee from the House for the consideration of Senate Amendments to House Bill No. 322. Thereupon the President appointed the following Senators to act as such Conference Committee: Senators Kroman, McQuitty, Pauline.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President appointed on this date a committee of three members from the Senate and requests that a like committee be appointed by the House for consideration of House Amendments to Senate Bill No. 206. Thereupon the President appointed the following Senators to act as such Conference Committee: Senators Arnold, Robinson, Keeley.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 410, 427, 419 and 363, having been read three several times, title and history agreed to as amended, are herewith transmitted to the House for concurrence in Senate amendments.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 211, 4, and 282, having failed in concurrence in the Senate are herewith returned to the House.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

REPORTS OF SPECIAL COMMITTEES

Mr. Speaker: We, your Conference Committee having had under consideration House Bill No. 322, respectfully report as follows: That the Senate amendments be adopted in House Bill No. 322, and further; Amend in line 17 of Section One by striking out the word "\$15,000" and substituting "\$10,000".

MORRISON,
STEVENS,
ARMSTRONG,
For the House.

McQUITTY,
PAULINE,
KROMAN,
For the Senate.

STATEMENT

The amendment to title is necessary so that the reduced appropriation would not have to be earmarked.

The amendment changing the sum from \$15,000 to \$10,000 was necessary to make it congress with Senate amendment striking out the earmarking of \$15,000 and substituting \$10,000.

Report of Conference Committee on Senate Amendments to House Bill No. 322 was adopted by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Armstrong, Aronson, Balgord, Beck, Bjorneby, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Friedl, Gebhardt, Goodwin, Green, Hammond, Hess, James, Kellogg, Kirscher, Lambert, Laubach, Laubach, Lehrkind, Leuthold, Liggett, Listug, Long, Longenecker, Loughran, Lowe, Lynch, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Peterson, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Wenger, Wilson, Woods, Zuck. Total 76.

Absent and not voting: Anderson (Cascade), Antrim, Baker, Beadle, Berthot, Bower, Byrne, Daniel, Flynn, Freshman, Hageman, Hoiness, Horgan, Lippard, Malee, Martin, Metlen, Moss (Flathead), O'Connor, Potter, Reed, Spiegel, Stromnes, Watson, Williams, Mr. Speaker. Total 26.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders, under the rules of the previous sitting: Brown in the Chair. Committee arose. House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Amendments to House Bills Nos. 410, 427, 419 and 363 be not concurred in and that conference committees be appointed by the House and like committees requested from the Senate.

BROWN, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

It was moved by McLeod, duly seconded, that the Attorney General be requested to appear before this House immediately and report in his own words, his side of the charges made by the Investigating Committee.

After considerable discussion, a roll call was demanded by the required number, to be entered in the Journal, and motion was lost by the following vote:

Ayes: Anderson (Cascade), Balgord, Beadle, Beck, Bower, Brower, Brown, Cannon, DeDobbeleer, Ekern, Friedl, Hess, James, Lambert, Liggett, Long, Malee, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Moss (Custer), Murray, Petersen, Rice, Ryan, Smith, Spiegel, Stevens, Sullivan, Wenger, Zuck. Total 35.

Noes: Acher, Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Berthot, Bjorneby, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Horigan, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, McFatridge, Metlen, Miles, Morrison, Moss (Flathead), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Roehl, Scofield, Siegling, Stafford, Stewart, Stromnes, Tyler, Vanderbeck, Williams, Wilson, Woods. Total 62.

Absent and not voting: Daniel, Flynn, Sorte, Watson, Mr. Speaker. Total 5.

It was moved by Stromnes, duly seconded, that when Special Order of Business has been reached tomorrow, providing the Attorney General, waives, in writing, the immunity guaranteed by the statutes in giving any testimony which may be disclosed, that he be invited to appear before the House in Executive Session.

On substitute motion, it was moved by Cannon to amend the motion by Stromnes, that the Attorney General appear in Open Session preceding the Executive Session set for 10:00 o'clock A. M. Motion was lost.

Whereupon, on substitute motion, it was moved by Hoiness, duly seconded and carried, that the Attorney General be given the use of the House Chambers tonight to make any declaration he wishes, when the House is not in Session.

It was moved by Byrne, duly seconded, in view of the time taken up in this afternoon session, that the Special Investigating Committee be granted until tomorrow to complete its reports.

On substitute motion, it was moved by Stromnes, duly seconded, that the motion by Byrne be amended to read as follows; after the word "granted" strike out the rest of the motion and insert in lieu thereof the words "to and including the 59th Legislative Day, in which to complete their reports."

On substitute motion, it was moved by McLeod, duly seconded, to amend the amendment to read that all other reports be brought in today with the exception of the report on the Liquor Control Board. Motion was lost. Whereupon motion by Byrne, which reads as follows, as amended; that in view of the time taken up in this afternoon session, the Special Investigating Committee be granted to and including the 59th Legislative Day in which to complete their reports, was carried.

It was moved by McLeod, duly seconded, that the House recess until 8:00 o'clock P. M. On substitute motion, it was moved by Stromnes, duly seconded, that the House adjourn, until Wednesday, February 29th, 1939, at 9:30 A. M. Motion lost. Whereupon motion by McLeod to recess carried.

EVENING SESSION

House resumed. Speaker Pro Tem in the Chair.

MESSAGES FROM THE GOVERNOR

Mr. Speaker: This is to advise that the Governor has this day approved
House Bill No. 70 by DeDobbeleer, et al
House Bill No. 126 by Committee on Agriculture
House Bill No. 335 by Cole of Petroleum
House Bill No. 395 by Stevens
House Bill No. 132 by Freshman et al
House Bill No. 215 by Watson
House Bill No. 283 by Morrison
House Bill No. 168 by Committee on Livestock and Public Ranges
Substitute House Bill No. 120 by Committee on Affairs of Cities.
and the same have been filed with the Secretary of State and copies thereof
with the Clerk of the Supreme Court.

Respectfully yours,

JOHN J. JEWELL,
Secretary to the Governor.

Mr. Speaker: We, your Committee on Enrolling beg leave to report
the following bills correctly enrolled: House Bills Nos. 358, 31, 203, 350,
and Substitute House Bill No. 337.

COLE (Prairie), Vice-Chairman.

Report adopted.

I have examined House Bill No. 337 introduced by me and find the
same to be correct.

LEHRKIND.

I have examined House Bill No. 358 introduced by me and find the
same to be correct.

LIPPARD.

I have examined House Bill No. 203 introduced by me and find the
same to be correct.

McCLAIN.

I have examined House Bill No. 31 introduced by me and find the
same to be correct.

I have examined House Bill No. 350 introduced by me and find the
same to be correct.

METLEN.

The Speaker Pro Tem signed the following in Open Session: House
Bills Nos. 358, 31, 203, 350 and Substitute House Bill No. 337.

REPORTS OF SPECIAL COMMITTEES

Mr. Speaker: We, your conference committee, appointed to consider
Senate amendments to House Bill No. 183, respectfully report and recom-
mend as follows:

That the Senate recede from its amendments to House Bill No. 183
and that said House Bill No. 183 be amended as follows:

That House Bill No. 183 be amended in the title in line 6 of the
original bill, by striking the word and figure "three (3) and inserting in
lieu thereof the words and figures "three and one-half (3½)."

By further amending the title in line 2 of the original bill, by striking
the word and figure "three (3)" and inserting in lieu thereof the words
and figures "three and one-half (3½)."

That Section 1 be amended in line 30 of the original bill by striking the word and figure "three (3)" and inserting in lieu thereof the words and figures "three and one-half (3½)".

By further amending Section 1, line 5, page 2 of the original bill by striking out the word and figure "three (3)" and inserting in lieu thereof the words and figures "three and one-half (3½)". By further amending Section 1 in line 3 of page 2 of the original bill by striking the word and figure "three (3)" and inserting in lieu thereof the words and figures "three and one-half (3½)". And as so amended be passed and concurred in.

DOUGHERTY,
ZUCK,
METLEN,

For the House.

DRUMHELLER,
ANGVICK,
CHAPMAN,

For the Senate.

Report of conference committee on Senate Amendments to House Bill No. 183 was adopted by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Beadle, Berthot, Bjerneby, Brower, Byrne, Cole (Prairie), DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Freshman, Gebhardt, Goodwin, Green, Hammond, Hess, Hoiness, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Loughran, Lynch, Malee, Martin, McCarthy, McFatrige, McGee, McKenna, Melin, Morrison, Moss, (Flathead), Moss (Custer), O'Connor, Parker (Wibaux), Parker (Flathead), Potter, Reed, Roehl, Sorte, Stafford, Stewart, Stromnes, Vanderbeck, Wenger, Williams, Zuck. Total 60.

Noes: Anderson (Cascade), Beck, Brown, Cannon, Cole (Petroleum), D'Ewart, Hageman, Horrigan, Long, Longenecker, Lowe, McLeod, Miles, Murray, Newell, Padbury, Petersen, Rice, Ryan, Scofield, Siegling, Smith, Spiegel, Stevens, Tyler, Wilson. Total 26.

Absent and not voting: Acher, Balgord, Bower, Clark, Collins, Daniel, Findlater, Flynn, Friedl, Leuthold, McClain, Metlen, Sullivan, Watson, Woods, Mr. Speaker. Total 16.

Mr. Speaker: We, your Joint Conference Committee, having had under consideration Senate Bill No. 59, respectfully report as follows: That the House recedes from House amendments inserting the word "real" between the words "upon" and "property" in Section 1, paragraph 2, line 3 of the original bill, end of line 4 of the printed bill, and paragraph 3, line 4 of the original bill, line 15 of the printed bill.

The Senate accedes to the House amendment striking the word and figure: "five (5)" and inserting in lieu thereof the word and figure: "ten (10)" in Section 1, paragraph 2, line 12 of the original bill, line 11 of the printed bill.

BERTHOT,
SMITH,
WILLIAMS.

For the House.

SIMMONS,
SMITH,
LAMP.

For the Senate.

Report of conference committee on House Amendments to Senate Bill No. 59, was adopted by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Byrne, Cole (Petroleum), Cole (Prairie), DeDobbeleer, D'Ewart, Dunn, Ekern, Emswiler, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Longenecker, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, Melin, Miles, Morrison, Moss (Flathead), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Roehl, Scofield, Siegling, Stafford, Stevens, Stewart, Stromnes, Tyler, Vanderbeck, Wenger, Williams, Wilson, Zuck. Total 73.

Noes: Anderson (Cascade), Brown, Duncan, McLeod, Murray, Rice, Ryan, Spiegel. Total 8.

Absent and not voting: Acher, Balgord, Cannon, Clark, Collins, Daniel, Dougherty, Findlater, Flynn, Friedl, Leuthold, Loughran, Malee, Metlen, Moss (Custer), Smith, Sorte, Sullivan, Watson, Woods, Mr. Speaker. Total 21.

Mr. Speaker: We, the Joint Conference Committee of the Senate and House, having had under consideration amendments to Substitute House Bill No. 170 beg leave to report as follows: That the title be amended by striking out the words and figures "March 5, 1891" and substituting, therefor, "February 14, 1891."

That Section 2, line 8 be amended by striking out the words and figures "March 5, 1891" and substituting, therefor, "March 14, 1891".

And further amend Section 2, as amended, by striking out at the end of the amendment the words "An Act giving the consent of the State of Montana to the purchase, by the United States, of land in any city or town of the state for the purpose of United States Courthouses, Post Office and for other purposes," and inserting in lieu thereof the words "An act ceding to the United States jurisdiction over certain lands."

D'EWARD,
MURRAY,
PADBURY,

For the House.

ECTON,
ARMSTRONG,
BURKE,

For the Senate.

Report of conference committee on Senate Amendments to Substitute House Bill No. 170 was adopted by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Baker, Balgord, Beadle, Berthot, Bjorneby, Bower, Brown, Cole (Petroleum), Cole (Prairie), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Longenecker, Lowe, Lynch, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Wenger, Williams, Wilson, Woods, Zuck. Total 83.

Absent and not voting: Acher, Armstrong, Brower, Byrne, Cannon, Clark, Daniel, Flynn, James, Kellogg, Leuthold, Loughran, Malee, Metlen, Moss (Flathead), Smith, Stromnes, Watson, Mr. Speaker. Total 19.

The Speaker Pro Tem announced that Byrne of Toole was unable to act on the conference committee on Senate Amendments to Substitute House Bill No. 14 and appointed Anderson of Phillips in his place.

The Speaker Pro Tem appointed the following conference committees to act with like committees from the Senate:

Senate Amendments to House Bill No. 363—Berthot, Green, Ekern.

Senate Amendments to House Bill No. 419—Armstrong, Spiegel, Findlater.

Senate Amendments to House Bill No. 427—Antrim, Lambert, and Roehl.

Senate Amendments to House Bill No. 410—Leuthold, Stevens and Zuck.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your committee of fifteen appointed to investigate the State Welfare Board, its appointees, and general set-up, beg leave to report as follows:

Your committee issued subpoenas for all of the Welfare Board whom it could contact, the State Supervisor of Public Welfare, many of his subordinates, and several persons from various counties, who claim to have evidence of irregularities; in addition, your committee engaged the services of an auditor to go over the books and financial statements of the Public Welfare Department with a view to breaking down the various accounts so that they could be more easily understood by the members of the committee. Considerable time was spent in going over the financial report as the figures reported tended to show a top-heavy administrative cost.

The report shows that although the various counties are in default in their payments to the State Board in the amount of \$270,810.99; that amount is carried on the books as an asset. It is problematical how much of this amount will be recovered.

The breaking down of the figures presented by the administrator and our auditor, and their re-assembling, tended to show an administrative cost in state and counties combined of about 30% of the entire amount expended by the Welfare Board.

Your committee was seeking information relative to combining the activities of several of the departments with a view to cutting the administrative costs and permitting more of the appropriated sums to filter down to those for whom the department was created. We were amazed at the large number of departments that were declared to be necessary in the administration of the Welfare Work. In almost every instance, each department was equipped with auditors, traveling investigators, filing clerks and stenographers.

In answer to our questions in regard to combining the departments dealing with child welfare and those dealing with crippled children we were informed that one department required persons with an entirely different training. We were not entirely satisfied with such answers, nor were we entirely satisfied with the answer to our query relative to uniting the activities of the dependent department with that of the child welfare department.

Your committee was also not entirely satisfied with the employment of a goodwill ambassador under the title of Public Relations Representative with a relatively fancy salary and an unlimited traveling account.

It was instantly apparent to your committee that there was a lack of coordination everywhere and that this lack of coordination was due to the inefficiency of the administrator and the board.

The committee wishes to commend the several department heads who were called in for information for their knowledge of the department over which they had charge.

Witnesses from the various counties were called and testimony from these witnesses disclosed the following:

That relief now being paid is inadequate to provide a standard compatible with decency and health, which is the standard set up by the board.

Although this standard set up required \$58.00 for a family of four, they actually receive an average of \$37.14.

In some counties the case workers merely look the applicant over and give a grocery order for \$10.00.

There seems to be no regular policy.

The various county administrators and county boards were charged with violations of the act in respect to appeals which were taken from decisions of case workers. There seems to be no regular procedure by which the various county boards arrive at a definite decision.

The old age payments were declared to be inadequate as such sums of \$5.00 or \$6.00 were being paid to some of these old people.

It was declared that there was plenty of "buck" passing between administrators, the county boards and the state board, and no one seemed to be able to pin any of them down to a definite decision.

Confinement cases were declared to be badly handled.

Economy seems to be the watch-word rather than the well-being of the patient.

Complaints were also registered in the manner in which commodities were being distributed that although plenty of the desired articles were in stock, the recipient was often denied his request on the grounds that the department was out of that particular size.

The methods of checking off the articles on the forms provided by the department was declared to be antiquated and out of date; that it was possible to credit said articles to the recipient after he had signed the form and left the office; that in several instances when the recipient had returned at a later date for other articles, he was denied the articles on the grounds that he had received them in the first instance.

It was declared by the witnesses that it was almost impossible to arrange meetings with the state board in order to carry appeals to them from the county boards.

There seemed to be no one in a position of authority who knew just when the state board would meet.

Cases were cited where the case workers in the various counties showed partiality toward recipients.

Complaint was also registered over the fact that some counties paid by issuing disbursing orders while the law requires that payments be made in cash or in warrants payable in cash on demand.

Several counties were represented and the evidence from these counties was along the same lines.

Your committee feels that in view of the foregoing facts, a change in the entire administration both in the administrator's office and the board is desirable and necessary; that a closer supervision be maintained by the administrator over the various county units so that there will be a more uniform method of administering relief; that the meetings of the board

should not be as secretive as they have been in the past; and that arrangements should be made so that meetings of the board would be advertised in the various newspapers so that those concerned could have an opportunity of appearing before the board.

Your committee is of the opinion that the amount of money made available to the Welfare Board from the counties, state, and national governments is sufficient to provide adequate relief and old age assistance to all of those entitled thereto in the State of Montana, provided that the moneys were properly distributed and not unduly absorbed through expensive administration policies. It is the opinion of the committee that the Welfare Board, and in particular the State Administrator, is lacking in the necessary administrative and executive ability for such an important office; and it is the thought of this committee that said board should be so reorganized that the necessary executive and administrative ability be provided.

We feel that if we failed to make recommendations according to our findings that we would be remiss in our duties as an investigating committee:

- (1) That the office of Public Relations Representative be abolished.
- (2) That closer supervision be had by the board through its administrator over the activities of the county units.
- (3) That salaries of department heads and supervisors be graduated downward in an effort to cut administration costs, and that a closer check be had on traveling expenses, both in the State Office and the County units.
- (4) That the Board and Administrator immediately draft a set of rules of procedure, by which they will be guided, and that these rules be publicized, so that all parties concerned in appeals will have an opportunity of being heard.

Respectfully submitted:

E. J. BYRNE, Chairman.
Special Investigating Committee.

On motion by Byrne, duly seconded and carried, the above report was adopted.

Mr. Speaker: We, your Special Investigating Committee, appointed for the purpose of investigating all elective and appointive State Officers, Offices, Boards, Bureaus, Departments, Commissions and Institutions, wish to report that a subcommittee was appointed by said Special Investigating Committee for the purpose of investigating the Montana Liquor Control Board, and said subcommittee, in conjunction with the Select Committee of the Senate, took and received a large volume of testimony.

In the course of said investigation, certain testimony was developed which was outside of the province of the said Select Committee of the Senate and said subcommittee, and a transcript of said testimony was thereupon delivered to the committee as a whole which said transcript was thereupon delivered to the subcommittee which was authorized and directed to investigate State Officers, Offices and Boards.

The testimony in question had to do with the delivery of food supplies from the commissary of the State Insane Asylum at Warm Springs, Montana to the Governor's Mansion in the City of Helena.

Dr. J. C. Dunn of Lewistown, Montana, testified that he was Assistant Superintendent of the State Insane Asylum at Warm Springs from February 1937 to May 1938, and that while he was in charge of said institution as Assistant Superintendent he delivered to the Governor's Mansion for the use of the Governor, food supplies, consisting principally of canned goods, sugar, flour and meats, valued at approximately seven hundred dollars, upon orders given him by Governor Roy E. Ayers.

Dr. Dunn's daughter, May King of Lewistown, Montana, testified that during the period when her father was Acting Superintendent of the hospital at Warm Springs, she lived with him and acted as his housekeeper and hostess, and on one or two occasions sugar, flour, eggs, packages of meat, canned goods and butter were loaded into a car, and that either she or her father drove the car to the Governor's Mansion in the City of Helena, and unloaded the contents of said car into the garage at said Mansion or directly into the Mansion itself.

When this information was transferred to said subcommittee, Dr. J. C. Dunn was called before said subcommittee, and testified to the effect that on a number of occasions such supplies as have heretofore been mentioned were loaded into a passenger car from the commissary at Warm Springs, and delivered either by himself or his daughter, May King, to the Governor's Mansion at Helena, Montana, for the use of the Governor.

Dr. Dunn also testified that supplies were likewise transferred from the State Penitentiary at Deer Lodge to the Governor's Mansion for the use of the Governor.

Theodore R. Bergstrom was called as a witness, and upon being sworn, testified that he had been Warden of the State Penitentiary at Deer Lodge, Montana since March 1937; that no supplies were ever transferred from the State Penitentiary at Deer Lodge, either directly or indirectly to any other institution or any individual in the State of Montana; that it is the practice at the State Penitentiary to keep a copy of an inventory of all supplies and provisions in the commissary, and that in his opinion it would be impossible for any considerable amount of supplies to be transferred out of said commissary without his knowledge.

Dick Marble was likewise called as a witness and was sworn, and testified that he resided at Warm Springs and occupied the position as steward of said institution, and that as steward he was in charge of the commissary and of all supplies. He denied that any foodstuffs, canned goods, meats or supplies of any kind or nature were transferred from said institution to the Governor's Mansion. He testified that no supplies could be withdrawn from the commissary without a requisition therefor, and that the records at the institution disclose that no foodstuffs or supplies were withdrawn for any purpose, except for use at the asylum.

The information from the select committee of the Senate and the subcommittee was developed and transferred to this committee at such a late date that it has been impossible to make a more exhaustive investigation as to the truth or falsity of the statements made by Dr. Dunn and his daughter, and for that reason your committee merely recites the evidence given this committee without expressing any opinion as to the credibility of any of the witnesses who testified.

Respectfully submitted:

E. J. BYRNE, Chairman.
Special Investigating Committee.

On motion by Byrne, duly seconded and carried, the above report was adopted.

MOTIONS AND RESOLUTIONS

It was moved by McGee, duly seconded and carried, that the last two reports adopted be mimeographed and placed on the desks of the members.

The Speaker Pro Tem signed the following in Open Session: Senate Bills Nos. 58, 136, 201, 156, 176, 158, 199, 51, 145, 211, 202, 127, 76, and Substitute Senate Bills Nos. 71 and 53; and Senate Joint Resolution No. 6.

REPORTS OF SPECIAL COMMITTEES

Mr. Speaker: We, your Special Investigating Committee beg leave to report that we have made an investigation of certain complaints with refer-

ence to irregularities in the handling of the trust funds of the State Banking Department, and submit the following report:

The State Banking Department has many duties prescribed by law among which is the handling of the funds of insolvent banks. A number of these banks have been in the process of liquidation for several years. We were informed by the Superintendent of Banks that several months ago there was discovered a shortage in the trust funds of some of the banks in the process of liquidation. Our investigation disclosed that this shortage has been repaid to the department by the bonding companies, and the department has not sustained any loss as a result of the defalcation.

Our investigation further disclosed that no person connected with the State Banking Department, at the present time, was involved in the irregularities or the shortages.

There is no provision in the present state law for a regular audit or examination of the books of the State Banking Department, other than such examination as would be made in the ordinary course of business with the department. We were informed by the Superintendent of Banks that a thorough audit was made by the State Examiners office, of all of the trusts in the process of liquidation by the department after the discovery of the shortage above mentioned.

It is the opinion of the Committee, and we recommend:

(1) That there be a regular audit and examination of the trust funds of the State Banking Department. We believe that such an examination can be made by the State Accountant under subsection 4 of Section 306 of the Revised Codes of Montana of 1935. At least until such time as the legislature may authorize and direct some other method for obtaining a proper examination of this department.

(2) We further recommend that in the handling of the accounts of banks in the process of liquidation, some form of receipt be used, and that a duplicate of such receipt be delivered to every person paying any money into the trust account of the State Banking Department. In our opinion, a receipt of this kind will aid materially in making an examination of the accounts, and the money received into the trust funds of the various banks in the process of liquidation.

(3) We further recommend that a copy of this report be delivered to the Honorable Roy E. Ayers and the Honorable W. A. Brown, Superintendent of the State Banking Department.

Respectfully submitted:

BYRNE, Chairman.
Special Investigating Committee.

On motion by Moss of Flathead, duly seconded and carried, the above report was adopted.

Mr. Speaker: We, your Special Investigating Committee appointed for the purpose of investigating all elective and appointive State Officers, Offices, Boards, Bureaus, Departments, Commissions and Institutions, beg leave to submit the following report:

A subcommittee was appointed to hear complaints against and to investigate the Milk Control Board. In spite of the fact that people everywhere were given an opportunity to express any opinion or complaint they might have regarding the conduct of the Board, we have had only four written communications to the subcommittee. Three of these indicate that they are gratified with the Control Board set-up. One indicates that they are not. However, we might say in passing that all four would seem to advise that they feel that Mr. Norris, the Administrator of the Act, has been anything but fair in some of his administrative duties.

Oral complaints made to members of the subcommittee individually have repeatedly reiterated that Mr. Norris discriminates in those persons that he prosecutes for violating the rules established in their various districts. It seems that Mr. Norris is somewhat prone to select as a victim of prosecution some small, defenseless dealer, and has repeatedly disregarded infractions by larger companies or individuals.

Your committee can make no definite recommendations except to say that we feel that Mr. Norris should be admonished to be more impartial in administering the duties of his office.

Respectfully submitted:

BYRNE, Chairman.
Special Investigating Committee.

On motion by Moss of Flathead, duly seconded and carried, the above report was adopted.

Mr. Speaker: We, your Special Investigating Committee appointed for the purpose of investigating all elective and appointive State Officers, Offices, Boards, Bureaus, Departments, Commissions and Institutions, beg leave to submit the following report:

Relative to the Public Service Commission, Mr. P. C. Sullivan of 402-A West Mercury Street, Butte, Montana, Secretary of the Legislative Committee of the Plumbers' Union in Butte, appeared and complained that he had sought during the late months of 1938 to have the Public Service Commission enforce Rule 20 of the said Commission's Rules and Regulations. This Rule 20 provides for the testing of all gas meters that have been in use for five years. The complainant maintains that this periodic inspection of meters is not made according to the Commission's ruling and had insisted on a mandatory enforcement of said rule.

Your committee finds upon inquiry that the complainant did not appear before the Commission, but presented his complaint to Commissioner Casey alone. No action was taken, and it does not appear the other Commissioners were advised of the complaint. Two new members have since taken office on the Commission. Your committee finds some question as to the mandatory nature of the rule referred to. No recommendation is made by this committee as to the Commission's action in this matter, but the complaint and the rule referring to same were both formally placed before the Public Service Commission for its consideration.

Respectfully submitted:

BYRNE, Chairman.
Special Investigating Committee.

On motion by Moss of Flathead, duly seconded and carried, the above report was adopted.

Mr. Speaker: We, your subcommittee of the Special Investigating Committee appointed to inquire into certain matters at the State University that had been brought to our attention, respectfully report as follows:

The members of this committee spent several days at Missoula, and secured testimony from administrative officers, faculty members, townspeople and students, such testimony giving us what we believed to be a fair cross section of opinion relative to the matters under inquiry. We believe that the conclusions reached by this committee have good and sufficient testimony to support them. These conclusions are as follows:

(1) We wish to commend what we believe to be a splendid spirit among the students of the institution, and we also believe that at time mistakes may have been made in not giving more consideration to student opinion.

(2) We wish to heartily commend the dormitory system, and express regret that more facilities of this character are not available.

(3) We believe that current student fees are justifiable under the circumstances, and that it would be difficult for the University to operate without such fees.

(4) We believe that in some cases supervision has reached the near censorship stage. However, we feel that there have been no unreasonable efforts to restrict freedom of teaching or freedom of speaking.

(5) We feel definitely that there has been too much down-town interference in university affairs, and also suggest that some university connections down town may work seriously to the disadvantage of the institution.

(6) Our investigation convinced us that there is serious dissension within the faculty and administrative groups. This we most severely condemn, and we emphatically feel that a spirit of cooperation must be established and maintained or great harm to the institution will be the inevitable result.

(7) Serious consideration of all facts and circumstances has led your committee to emphatically believe that centralized authority should be established over all units of the Greater University, through the re-establishment of the chancellor plan of supervision.

(8) We earnestly believe, without any criticism of any individual member of the State Board of Education, that that plan of supervision over our higher institutions is inefficient and ineffective. We believe that this supervisory board should be remodeled so that it would in fact become a real State Board of Education, and we seriously suggest that members of this board should not be appointed from cities having units of the Greater University of Montana.

MOSS (Flathead), Chairman.

LOWE.

Sub-Committee.

Report adopted by Special Investigating Committee.

BYRNE, Chairman.

Special Investigating Committee.

On motion by Byrne, duly seconded and carried, the above report was adopted.

It was moved by Ekern, duly seconded and carried, that the Journal show that he, as a member of the sub-committee did not sign the report of the committee, last above written.

Mr. Speaker: We, your Special Investigating Committee appointed for the purpose of investigating all elective and appointive State Officers, Offices, Boards, Bureaus, Departments, Commissions and Institutions, beg leave to submit the following report:

Upon complaint of Mr. N. Simon, dairyman of Brown's Gulch, investigation was made into certain of the activities of the Montana Livestock Sanitary Board. Complaint was made that dairy cows condemned to slaughter for Bang's Disease were in fact not slaughtered, but were shipped from the state for sale. This charge was fully investigated by your committee, and the complaints and charges proved to be mistaken. Through a somewhat careless method of reporting individual shipments of cattle and a failure to detail properly the county and local address from which individual shipments were made to the Butte market, suspicion had arisen as above mentioned. Upon investigation it was found that the condemned cows were actually slaughtered under official inspection, and

Federal indemnity duly paid. Suspicion had arisen from the practice of the Stock Inspector in report on one single report sheet a large number of cattle shipped by several different sellers from different counties. There was not room on the sheet to state all the different points of shipment, with the result that subsequently shippers received notice from the Register of Brands that their stock had been shipped from some other point than its original habitat. The department readily explained these matters, and this body may rest assured that similar situations shall not arise in the future.

Respectfully submitted:

BYRNE, Chairman.
Special Investigating Committee.

On motion by Byrne, duly seconded and carried, the above report was adopted.

It was moved by McLeod, duly seconded, that the House revert to Order of Business No. 6, Motions and Resolutions. Motion lost.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Wednesday, March 1st, 1939, at 10:00 o'clock A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

FIFTY-NINTH DAY

House of Representatives,
Helena, Montana,
March 1, 1939.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members present except Flynn who was excused.

The following members, on the Special Investigating Committee to investigate State Boards and Offices, were excused, to perform the duties of such Committee: Byrne, Moss (Flathead), Spiegel, Hoiness, Hess, O'Connor, Freshman, Baker, Leuthold, Ekern, Stromnes, Lowe, Watson, Malee, Lehrkind.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifty-eighth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

SPECIAL ORDER OF BUSINESS

The House went into Executive Session to consider the report of the Special Investigating Committee recommending the impeachment of the Attorney General, under Special Order of Business set for ten o'clock A. M. On motion, duly seconded and carried, Executive Session was brought to a conclusion and the House sat in Open Session, and adopted the report of the committee on the following vote:

Ayes: Acton, Anderson (Phillips), Armstrong, Aronson, Baker, Berthot, Byrne, Clark, Cole (Petroleum), Collins, D'Ewart, Dougherty, Dunn, Findlater, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Kellogg, Kirscher, Lehrkind, Leuthold, Liggett, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, McFatridge, Metlen, Morrison, Moss, (Flathead), Newell, O'Connor, Parker (Flathead), Potter, Reed,

Roehl, Scofield, Siegling, Stafford, Stewart, Stromnes, Vanderbeck, Watson, Williams, Wilson and Woods. Total 52.

Noes: Anderson (Cascade), Antrim, Balgord, Beadle, Beck, Bjorneby, Bower, Brower, Brown, Cannon, Daniel, DeDobbeleer, Duncan, Ekern, Emswiler, Friedl, Hess, James, Lambert, Laubach, Long, Malee, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Miles, Moss (Custer), Murray, Padbury, Parker (Wibaux), Petersen, Rice, Ryan, Smith, Sorte, Spiegel, Stevens, Sullivan, Tyler, Wenger, Zuck and Mr. Speaker. Total 46.

Absent and not voting: Acher, Flynn and Horrigan. Total 3.

Passed their vote: Cole (Prairie). Total 1.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Joint Conference Committee, having had under consideration the House amendments to Senate Bill No. 149, respectfully report as follows:

That in line 8, Section 1, the word "ten" be stricken out and the word "fifteen" be inserted in lieu thereof.

That the House amendment in Section 1, line 34, inserting the word "proportionate" after the word "share" be adopted.

And that as so amended the same be concurred in.

PARKER,
HOINESS,
COLE (Prairie),
For the House.

BURKE,
SMITH,
HENDERSON,
For the Senate.

The report of the conference committee on House Amendments to Senate Bill No. 149 was adopted by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Byrne, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Goodwin, Hageman, Hammond, Hess, James, Kellogg, Kirscher, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McFatriidge, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Potter, Reed, Rice, Roehl, Ryan, Smith, Spiegel, Stafford, Stewart, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods and Mr. Speaker. Total 77.

Absent and not voting: Acher, Anderson (Cascade), Beadle, Cannon, Cole (Prairie), Ekern, Flynn, Green, Hoiness, Horrigan, Lambert, Leuthold, McCarthy, McClain, McGee, Parker (Flathead), Petersen, Scofield, Siegling, Sorte, Stevens, Stromnes, Sullivan, Tyler and Zuck. Total 25.

CONSIDERATION OF GENERAL ORDERS

It was moved by McLeod, duly seconded and carried, that the House resolve itself into a Committee of the Whole for consideration of General Orders under the rules of the previous sitting.

Moss of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration the following, recommend:

That Senate Amendments to House Bill No. 426 be not concurred in and that a conference committee be appointed by the House and a like committee requested from the Senate.

MOSS (Flathead), Chairman.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bills Nos. 360 and 426 having been read three several times, title and history agreed to as amended, are herewith transmitted to the House for concurrence in Senate amendments.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 247, having been read three several times, title and history agreed to and concurred in is herewith returned to the House.

Respectfully,

GEORGE A. BURR,

Secretary of the Senate.

It was moved by McLeod, duly seconded and carried, that the Senate Amendments to House Bill No. 360 be not accepted by the House for the reason that they were transmitted in violation of Joint Rule No. 23.

Mr. Speaker: We, your Joint Conference Committee appointed by the Senate and House to confer on House Bill No. 161, beg leave to report as follows:

That all amendments to original House Bill No. 161 be stricken therefrom and amend by adding a section to be known and numbered as Section 11, reading as follows: "Section 11. This act shall be in full force and effect from and after January 1, 1940." And amend Section "11" that same be numbered "12". And as so amended be concurred in.

SMITH,
BEADLE,
MELIN,

For the House.

ECTON,
SMITH,
KEELEY,

For the Senate.

Report of conference committee on Senate Amendments to House Bill No. 161 was adopted by the following vote:

Ayes: Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Bower, Brower, Brown, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Emswiler, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, Malee, Martin, McClain, McFatridge, McKenna, McLeod, Melin, Metlen, Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Spiegel, Stevens, Watson, Wenger, Wilson, Woods, Zuck and Mr. Speaker. Total 78.

Noes: O'Connor, Stafford and Tyler. Total 3.

Absent and not voting: Acher, Byrne, Cole (Prairie), D'Ewart, Ekern, Findlater, Flynn, Freshman, Leuthold, McCarthy, McGee, Miles, Morri-

son, Moss (Flathead), Moss (Custer), Sorte, Stewart, Stromnes, Sullivan, Vanderbeck and Williams. Total 21.

It was moved by McLeod, duly seconded and carried, that the House recess until 8:00 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Bills Nos. 97, 111, 127, 135, 150, 151, 197, 201, 205, 245, 252, 319, 259, 356, 247, 256, Substitute House Bill No. 58 and House Joint Memorial No. 14.

COLE, Vice-Chairman.

Report adopted.

I have examined House Joint Memorial No. 14 introduced by me and find the same to be correct.

DeDOBBELEER.

I have examined House Bill No. 256 introduced by me and find the same to be correct.

McCLAIN.

I have examined House Bill No. 247 introduced by me and find the same to be correct.

MILES.

I have examined House Bill No. 356 introduced by me and find the same to be correct.

METLEN.

I have examined House Bill No. 259 introduced by me and find the same to be correct.

MORRISON.

I have examined House Bill No. 319 introduced by me and find the same to be correct.

MALEE.

I have examined House Bill No. 252 introduced by me and find the same to be correct.

EDUCATION,
LAMBERT, Chairman.

I have examined House Bill No. 245 introduced by me and find the same to be correct.

EDUCATION,
LAMBERT, Chairman.

I have examined House Bill No. 205 introduced by me and find the same to be correct.

MALEE.

I have examined House Bill No. 201 introduced by me and find the same to be correct.

D'EWART.

I have examined House Bill No. 197 introduced by me and find the same to be correct.

DeDOBBELEER.

I have examined House Bill No. 151 introduced by me and find the same to be correct.

EDUCATION,
LAMBERT, Chairman.

I have examined House Bill No. 150 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 135 introduced by me and find the same to be correct.

PARKER (Flathead).

I have examined House Bill No. 127 introduced by me and find the same to be correct.

WATSON.

I have examined House Bill No. 111 introduced by me and find the same to be correct.

D'EWART.

I have examined House Bill No. 97 introduced by me and find the same to be correct.

MOSS (Flathead).

I have examined Substitute House Bill No. 58 introduced by me and find the same to be correct.

LAMBERT.

The Speaker signed the following in Open Session: House Bills Nos. 97, 111, 127, 135, 150, 151, 197, 201, 205, 245, 252, 319, 259, 356, 247, 256, Substitute House Bill No. 58 and House Joint Memorial No. 14.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Joint Conference Committee having had under consideration Senate Amendments to Substitute House Bill No. 53, respectfully report as follows:

That the Senate Amendments to Substitute House Bill No. 53 be stricken out, and that Section 2 of the printed Substitute Bill be amended as follows:

That all lines 3 to 19 inclusive, of said Section 2, be stricken out, and that in lieu thereof the following be inserted:

"Section 5668.42. Every person, firm or corporation furnishing provender, provisions, materials, supplies, repairs or parts of machinery, including labor necessary to install the same, to be used in the construction, performance, carrying on, prosecution or doing of any work for the state, or any county, city, town, district, municipality or other public body, shall not later than one (1) day after the date of the first delivery of such provender, material, supplies, provisions, repairs or parts of machinery, including labor necessary to install the same, to any sub-contractor or agent of any person, firm or corporation having a sub-contract for the construction, performance, carrying on, prosecution or doing of such work, deliver or send by registered mail to the contractor a notice in writing

stating in substance and effect that such person, firm or corporation has commenced to deliver provender, provisions, materials, supplies, repairs or parts of machinery, including labor necessary to install the same, for use thereon, with the name of the sub-contractor or agent ordering or to whom the same is furnished, and that such contractor and his bond will be held for the same. No suit or action shall be maintained in any court against the contractor or his bond to recover for such provender, provisions, material, supplies, repairs or parts of machinery, including labor necessary to install the same, or any part thereof, unless the provisions of this act have been complied with."

And that as so amended the same be concurred in.

BERTHOT,
BYRNE,
WILLIAMS,
For the House.

BURKE,
METZGER,
LOTT,
For the Senate.

Report of conference committee on Senate Amendments to Substitute House Bill No. 53 was adopted by the following vote:

Ayes: Acton, Anderson (Phillips), Aronson, Baker, Beadle, Beck, Berthot, Bjorneby, Brower, Brown, Cannon, Clark, Cole (Petroleum), Cole (Prairie), Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, James, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Lippard, Listug, Long, Longenecker, Lowe, Lynch, Malee, Martin, McCarthy, McFatrige, McGee, McKenna, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Sorte, Stevens, Watson, Wenger, Wilson, Woods, Zuck and Mr. Speaker. Total 75.

Absent and not voting: Acher, Anderson (Cascade), Antrim, Armstrong, Balgord, Bower, Byrne, Collins, Findlater, Flynn, Hoiness, Horrigan, Lambert, Liggett, Loughran, McClain, McLeod, Metlen, Smith, Spiegel, Stafford, Stewart, Stromnes, Sullivan, Tyler, Vanderbeck and Williams. Total 27.

Mr. Speaker: To the Honorable Senate and the Honorable House of Representatives. We, your conference committee, appointed to consider House amendments to Senate Bill No. 5 respectfully report and recommend as follows:

That the House recede from its amendment to Senate Bill No. 5.

SORTE,
LEHRKIND,
LONGENECKER,
For the House.

DRUMHELLER,
BATEMAN,
WOODS,
For the Senate.

It was moved by Sorte, duly seconded, that the report of the committee be adopted. On substitute motion, it was moved by Spiegel, duly seconded and carried, that a new conference committee be appointed and a like committee requested from the Senate.

Mr. Speaker: We, your Conference Committee on House Bill No. 133, having had under consideration amendments thereto, respectfully report as follows:

That Senate amendments to Section 2 be stricken and that the last sentence in said Section 2 be amended to read as follows: "All state department and county department personnel shall be legal residents of the State of Montana."

That Senate amendment of Section 14 on page 12 of the original bill, adding a subsection to be designated as "Subsection (c)", be amended by striking the word "act" and inserting in lieu thereof the word "section"; and that the House accedes to all other Senate amendments appearing in said House Bill No. 133, and to the amendments above set forth as amended.

MOSS (Custer),
LAMBERT,
HAGEMAN,
For the House.

KAULBACH,
BAKER (Dawson),
MARTIN,
For the Senate.

Report of conference committee on Senate Amendments to House Bill No. 133 was adopted by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Aronson, Beck, Berthot, Bjorneby, Bower, Byrne, Clark, Cole (Petroleum), Collins, Daniel, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Flynn, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, James, Kellogg, Kirscher, Laubach, Lehrkind, Liggett, Listug, Lowe, Malee, Martin, McClain, McFatridge, McGee, McKenna, Melin, Miles, Morrison, Moss (Flathead), Moss (Custer), Newell, O'Connor, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Scofield, Stafford, Stevens, Stewart, Stromnes, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 69.

Noes: Anderson (Cascade), Beadle, Brower, Brown, DeDobbeleer, Hess, Leuthold, McCarthy, McLeod, Murray, Ryan, and Sullivan. Total 12.

Absent and not voting: Acher, Armstrong, Baker, Balgord, Cannon, Cole (Prairie), Findlater, Hoiness, Horrigan, Lambert, Long, Longenecker, Loughran, Lynch, Metlen, Padbury, Siegling, Smith, Sorte, Spiegel. Total 20.

Passed their vote: Lippard. Total 1.

SUB-COMMITTEE REPORT

Mr. Speaker: We, your Sub-Committee, appointed for the purpose of investigating the Fish and Game Department with regard to their handling of beaver furs and tagging of the same, beg leave to report as follows:

Attached to this report, in Exhibit A, will be found a verified report of an examination of the Fish and Game Department with reference to shipments of beaver for the years 1935, 1936, 1937 and 1938, made by one George H. Platt, a Certified Public Accountant, which said report is verified and the verification dated as of the Twenty-ninth day of December, 1938.

We, your Sub-Committee recommend that this report, together with a transcript of the testimony taken in this matter, be forwarded to the State Fish and Game Commission at their next regular meeting for the reason that we feel this investigation discloses that there is a great deal of room for improvement in bookkeeping and in other administrative duties of that Commission in regard to the tagging, storing, selling and handling of beaver pelts under the law heretofore and now existing.

We further recommend that the Fish and Game Commission carefully observe Exhibit B and Exhibit H of the report of Mr. Platt, hereto attached, and marked Exhibit A, to the end that the practice heretofore existing be discontinued and that the law be not violated at the insistence and request of the Leo M. Goldberg Fur and Wool Company or the Federal Raw Fur Exchange.

We, your Sub-committee, further recommend that the Fish and Game Commission carefully read the testimony of Leo M. Goldberg, who is the owner of the Leo M. Goldberg Fur and Wool Company and the Federal Raw Fur Exchange, and that it be compared with other witnesses, testifying on the same subject matter, to the end that the Commission will take such steps as will remove the influence Mr. Goldberg apparently has on the administration of beaver laws in the State of Montana.

We further recommend that in conformity with the defects pointed out and indicated in Exhibit A, the report of George H. Platt, in regard to the keeping of records in the Fish and Game Department, be corrected as therein indicated and that the attention of the Fish and Game Commission be particularly directed to Exhibits A, B, C and D of said report, regarding illegal tagging; that the Commission study all the other exhibits contained in Exhibit A and ascertain therefrom wherein the law has been violated and take the necessary steps required to remedy these violations.

We, your Sub-Committee, feel that violations of the beaver law are very apparent and numerous and that it is now the duty of the Fish and Game Commission, after carefully studying the report of Mr. Platt and the testimony of the witnesses called before this Sub-Committee, to go into the matter thoroughly and have the same completely over-hauled for the welfare of the Fish and Game Department of the State of Montana, and that they do such things as would be consistent with correcting the administration heretofore given, the tagging and the administration of beaver permits.

We would also recommend that a better system of keeping records and particularly as outlined by Mr. Platt be adopted forthwith, to the end that the information contained in said records be more complete and permanent; we further recommend that all fur dealers in the State of Montana be given notice of the sale of contraband fur by the Fish and Game Department and that contraband and confiscated furs be not stored in the warehouse of Leo M. Goldberg, or any other licensed fur dealer.

We further recommend that the Fish and Game Department inspect furs shipped to Montana from other states and that the Department then communicate with the proper officials of the state from which the furs were shipped, regarding the genuineness or legality of the shipment and to this end attempt to eliminate the illegal handling of beaver fur in Montana.

The re-shipment of beaver furs shipped out of the State of Montana, and later returned to Montana is, in the opinion of this Committee, too laxly handled and it is our recommendation that the Game Warden in such instances should be advised and that a record of the beaver shipping be established in the Department and that all shipments be recorded therein in ink, giving the tagging numbers in the case of Montana beaver and a cross-reference to the affidavit in the case of imported beaver, and that the permit number, name of the shipper and name of the consignee be permanently recorded in said record.

We further recommend that when a permit to trap beaver has been requested, that after an inspection by the Deputy Game Warden of that district, that the matter be brought to the attention of the Commissioner in that district before the permit is issued, because it is the opinion of this Sub-committee that insufficient attention is now being given to this matter.

We also recommend that the trapping of beaver by Deputy Game Wardens in the future be discontinued, except in cases where necessity requires, and then, only when the beaver so trapped are transplanted.

Respectfully submitted,

MALEE,
O'CONNOR,
FRESHMAN,
Sub-Committee.

Report adopted by Special Investigating Committee.

RYRNE, Chairman.

It was moved by Byrne, duly seconded, that the report of the committee be adopted.

On substitute motion, it was moved by O'Connor, duly seconded and carried, that action on the above report be postponed until Tuesday, March 2nd, 1939, at 11:00 o'clock A. M.

To the Speaker of the House of Representatives; of the Twenty-sixth Legislative Assembly of the State of Montana:

Sirs:

The Select Committee of the Senate, appointed January 10, 1939, to investigate the Montana Liquor Control Board, and the Select Committee of the House, appointed January 12, 1939, to investigate all elective and appointive state officers, offices, boards, bureaus, departments, commissions and institutions, hereby jointly report their findings and recommendations with respect to the matters and subjects hereinafter set forth, respectfully report as follows:

Charges and counter-charges have been made throughout Montana for several months regarding the State liquor set-up, and doubtless many persons have been accused wrongfully and the true facts in other cases distorted. The public generally is familiar with these statements, and we feel it is the duty of our committee to place the facts squarely on the table, regardless of personalities, that the members of the Legislature and the public should have the true facts of the situation.

For over forty days and many nights the members of the Special Committee have worked faithfully and tirelessly and in close harmony, conducting investigations and hearings at Missoula, Hamilton, Havre, Great Falls, Butte, Anaconda, Lewistown and Helena. Upwards of one hundred witnesses have been examined. We have endeavored in about forty days' time to perform a task that should require at least six months of continuous work, and necessarily in many instances have only touched what might be termed the "high spots" of the liquor set-up.

We have examined as fully as possible the subject of contraband liquor, bonus liquor, stamps, rebating, discrimination, favoritism in contracts, comparative prices of liquor in adjoining states, personnel of employees, diversion of commissions, granting of licenses, the earnings of individuals, discounts, the purchasing of bar specials and advertising. We have examined bank accounts, earning reports, contracts, price lists of adjoining states, truck movements into Montana, carload movements, have worked with Government agencies, and in practically all cases have examined every witness that reported to have knowledge of conditions.

CONTRABAND LIQUOR

The committee and investigators made a special effort to ascertain the true status of the much discussed subject of "contraband liquor." Contraband liquor might be divided into two classes—first, moonshine or liquor without Federal stamps, and second, regularly distilled liquor sold with-

out the state receiving its tax. In this connection the gross "mark-up" is fifty percent (50%) and seven percent (7%), the latter being the figure agreed upon as an excise tax. In the case of "bar specials," the mark-up is approximately forty percent (40%) and seven percent (7%). "Bar Specials" is the term used for liquor purchased in case lots. The committee has checked almost every reasonable clue as to the existence of contraband liquor. All available records of truck loading at the various ports of entry in the state have been reviewed. The railroads have furnished lists of carload shipments of alcoholic beverages into the state. In the matter of railroad shipments, the rumors were apparently based on one carload that was moved into Yellowstone Park over which the Montana Liquor Control Board has no jurisdiction. It was also partially founded on a carload shipment or two that a former Board had diverted legally to eastern Montana points in order to effect a freight saving, and a carload that was partially unloaded in Beaverhead County prior to the tenure of office of the present Board. There were also rumors of a carload being unloaded in Missoula, but your committee was unable to substantiate this claim, and the same may be groundless. In regard to the truck shipments, there was some hearsay evidence as to the isolated movements, but it is our opinion that in the past few months these shipments would not be of any great importance. Likewise, there was hearsay evidence of suspected moonshine either from stills or combinations from alcohol, but we were unable to obtain in the limited time sufficient evidence to warrant prosecution. It is our opinion that little contraband liquor is being shipped into Montana. As the evidence discloses, there are simpler methods of obtaining personal gain.

BONUS LIQUOR

"Bonus liquor" is the term applied to extra or additional cases shipped from the distilleries in carload lots. This liquor is shipped either as samples for the representatives of the distillery who are supposed to pay the state "mark-up" on the same, or in other cases what might be termed "a good will donation" to be used as seen fit.

The investigation disclosed that 517 cases of bonus wine, gin, whiskey and cordials were received by the Liquor Control Board at its warehouse between April 1, 1937 and January 1, 1939. Of this number the administrator reported that he delivered 195 cases to "the consignees", and that on January 26, 1939, he had 23 cases of such samples on hand, and that the remainder, amounting to 295 cases, he "disposed of in any way that he deemed expedient." He reported that he gave some to employees of the Board, and to various conventions and meetings of the American Legion, stockmen, county officers and fraternal organizations, and to callers at his office.

Without any reflection on the administrator, who was probably acting in good faith, the above is a dangerous procedure as this liquor is both illegal and contraband, in the opinion of the committee, and should be disposed of for the benefit of the taxpayers of the state. On the basis of the average price for liquor, the 295 cases involved would be worth approximately \$5,000.00.

STAMPS

There seems to be a general misunderstanding in the matter of a handling of the State seals or stamps placed upon liquor purchased from the Liquor Control Board. Since July, 1937, approximately 200,000 of such stamps have been purchased. It seems to be customary throughout the so-called "control" states for the distillers to requisition the stamps and place them on the bottles or cases prior to shipment. In the case of imported liquor, there is no procedure for the placing of stamps at the points of origin, and for this reason stamps have to be placed on the bottles either at the wholesale house or at the various stores. This situation is a difficult one for the administrator to handle, owing to the peculiar condi-

tions existing. The administrator advised the committee that he will recommend the purchase of stamps with serial numbers.

ADVERTISING

Unfortunately, your committee did not have sufficient time to satisfactorily investigate the amounts paid to the various newspapers for advertising brands of alcoholic beverages. From the little evidence available, certain distillers are alleged to have paid as high as \$1.00 per case for general advertising, and in one instance it was stated that approximately 50c per case of this amount was spent on Montana newspapers. While we do not know how this contract compares with others, it would be possible for the distillers to pay handsomely for newspaper advertising, and no doubt in return would expect certain concessions from the press. The matter of placing advertising seems to be largely in the hands of the State Distributors.

GRANTING OF LICENSES

It was undoubtedly the intention of the Legislature in passing the Act of 1937, respecting the non-granting of licenses to retailers that have been found guilty of certain crimes, to eliminate the racketeer from the retail business. It was clearly the intent that persons convicted of major crimes as well as for violations of the Federal and State Prohibition Acts should not be permitted to engage in the business. Through an alleged technicality in the law, counsel for the Board has ruled that the law does not cover the case of certain offenders. We disagree with this ruling. We believe there is a serious abuse in this particular.

It was brought to the committee's attention that one former inmate of the penitentiary is operating a saloon within the town of Deer Lodge, and a former inmate of the same institution has at times been his bartender. There was evidence that in another county, at least three persons that had served terms either in the Montana State Prison, or other state prisons, were operating saloons. There are innumerable cases of persons formerly convicted of violating the Federal and State Prohibition Acts being operators of saloons in the State. This practice cannot be too severely criticized, and there should be a general clean-up in this line as there are sufficient law-abiding citizens in the communities to operate all bars.

FAVORITISM IN PRICES

The committee secured the prices charged f. o. b distillery of various brands of whiskey in adjoining states at a specified time, and in nearly all cases the price in Montana was from a few cents to at least \$1.06 a case higher than in adjoining states.

In justice to the administrator, there may be some justification as to this variance in price due to effective date of price change to consumers, but the committee has not had an opportunity to fully investigate these regulations. Also the committee had evidence submitted that certain grades, particularly bar specials, could be purchased from three to four dollars per case cheaper than the prevailing price, had these dealers been permitted to sell their wares in Montana. We were unable to have a relative comparison of grades and quality.

COMMISSIONS OF BROKERS

The administrator advised the joint committee that commissions were granted, ranged in Montana from about two per cent (2%) to a maximum of five percent (5%). However, the evidence discloses that on certain fast moving brands, the E. J. Johnson Company of Lewistown have received as high as seven and one-half percent (7½%) in commissions. Our opinion is that unless something is done to curb this matter of com-

missions, there is an opportunity of a real racket in allowing excessive commissions to be charged and division made to silent partners. A few of the leading distillers, including the firm represented by Benedict & Bardon, allow only salaries to their representatives. We believe that this is a very commendable course for all the distilleries to pursue.

RACKETEERING

We are of the opinion from evidence submitted that under the present system of liquor brokerage the business is becoming a racket, and if not stopped, will soon be out of control. The front man for this set-up seems to be Leslie or Jack Ayers. The committee procured and obtained much first-hand information relating to Ayers from the records of various provinces in Canada and from the Identification Bureau at Great Falls, and these in effect show Jack Ayers' record in part as follows:

THE CRIMINAL RECORD OF JACK AYERS

January, 1912. Charged with carrying concealed weapons, under name of Frank Morgan, at Prince Albert, B. C.

December, 1912. Charged, as Leslie E. Ayers, at Calgary, Alta., with possession of explosives.

March, 1913. Charged as J. Atkins at Calgary, Alta., with carrying concealed weapons.

June, 1914. Charged as William Fisher, at Regina, Sask., with breaking and entering, and also possessing explosives.

October, 1917. Charged as F. J. Atkins, at Moose Jaw, Sask., with a felony, and sentenced for four years.

March, 1924. Charged as J. J. Reed, at Lethbridge, Alta., for stealing approximately \$130,000.00 in securities and money.

In addition, Ayers as "Smiling Johnnie Reed" was arrested as the ring leader in at least one bank robbery in the State of Montana, but he was extradited to Canada for another offense. The records of the Montana Bankers Association discloses that Ayers and one Arthur Davis were the alleged ring leaders of a group of sixteen persons implicated in various bank burglaries and robberies, including those mentioned above.

Our investigation also discloses that in 1925, for a criminal offense at Havre, Montana, Jack Ayers wrote the Clerk of Court that Roy E. Ayers was his attorney. The evidence further discloses that Roy E. Ayers was the attorney for one of the accomplices of Jack Ayers in a Montana bank burglary in 1924.

The committee received evidence showing that Jack Ayers is not related to Governor Roy E. Ayers.

Dr. John C. Dunn, on the 16th day of February, 1939, at Lewistown, Montana, testified as follows in part:

Q. Have you been connected with Governor Ayers in his political campaigns to any extent?

A. Yes, sir, I have.

Q. Were you connected with him in supporting him in his campaigns for Congress?

A. I was.

Q. And for Governor of Montana?

A. Yes, sir.

Dr. Dunn further testified:

My recollection is that I met Jack Ayers at the Governor's home in Lewistown at the beginning of the general election campaign in the fall of 1936.

Q. State whether or not you saw him frequently during that campaign?

A. I did, practically every day.

Q. Do you know what part he took in the fall campaign for Governor Ayers?

A. He was the manager of his campaign, state-wide.

Q. And as such did you come in contact with him, you being the president of the Ayers for Governor Club?

A. I did.

Q. And did he as manager of Governor Ayers' campaign have any duty or perform any duty with respect to the delivery of money to you?

A. He did.

Q. And that involved what?

A. The Ayers for Governor Club account in the bank was kept in my name and it was necessary for me to sign all checks.

Q. And from whom did you receive money against which the checks were drawn?

A. Jack Ayers.

Q. Do you know whether Jack Ayers deposited in the bank money or checks to your credit as the said official of the Ayers for Governor Club?

A. He did.

Q. Did he on more than one occasion hand you checks as such official?

A. He did.

Furthermore, the witness testified as follows:

Q. Now, in January and February, 1937, while you were in the Governor's mansion did you see Jack Ayers in that mansion?

A. I did.

Q. And in what capacity did he appear to be acting?

A. He acted as though he lived there—answering the telephone calls and appeared to be the contact man for the Governor.

Q. What did he do by way of acting as though he lived there?

A. He had his regular place at the table; he helped himself to anything in the way of food there and refreshments from their stores and I heard Mrs. Ayers refer to Jack's room.

Q. Meaning his room?

A. Yes.

Q. Did he have his coat off?

A. Yes.

Q. Did you hear any discussion between him and Governor Ayers?

A. I did.

Q. What, for instance did you hear?

A. I heard the Governor ask for suggestions from him as to where they would place certain men whom they had promised positions to.

There seems to be no doubt as to the free relationship between the Governor and Jack Ayers. On the 26th day of April, 1937, Articles of Incorporation were filed in the office of the Secretary of State for the "Capitol Brokers, Inc." The incorporators were D. E. Osborne of Havre, Montana, Jake Myers of Malta, Montana, and Fred L. Robinson of Malta, Montana. The purpose for which said corporation was formed was "to conduct and engage in a general wholesale commission and broker business", and further to carry out the general provisions of a corporation. The evidence discloses that the incorporators each contributed One Hundred Dollars (\$100.00) and were entitled to ten shares of stock. It was further provided that the "principal office of said corporation is located in the Helena Apartments in said City, County and State."

On examination, incorporator Jake Meyers testified in part as follows:

Q. Anyway, you three organized it? (Referring to Capitol Brokers, Inc.)

A. Jack Ayers was there.

Q. You say Ayers was there at that time?

A. Yes.

Q. What did he have to do with it?

A. Well, I don't know, but he came in and said he had some pretty good mining property and wanted to form a corporation so they could mine.

Q. Did you get a certificate or certificates of stock for that \$100.00?

A. No, I haven't got that.

Q. Who selected the name for the corporation?

A. Jack Ayers as far as I know.

Q. And you haven't been paid any money by the company?

A. No, not a cent.

Incorporator D. E. Osborne stated in part as follows:

Q. You are an officer of the corporation?

A. I am the President.

Q. Have you held any directors meetings?

A. Nothing more than the one I told you about when we first incorporated.

Q. That was not a directors meeting.

A. Well, that was the time that I was elected President and Jack Ayers was to be the manager and Meyers was Vice-President.

Q. As President have you drawn any salary?

A. No, I have never seen a nickle except to the extent of this mine.

We believe in justification to Fred L. Robinson that the record should show that the testimony discloses that he withdrew from the corporation in 1937.

The evidence at the hearings discloses that the apartment in Helena which is used as the principal place of business is the one which has been occupied by Jack Ayers. Furthermore, the evidence shows that there apparently have been no directors meetings, that the President of the company has been unable to produce the books or records of the corporation although repeatedly requested to do so. President Osborne on

various occasions stated that he was unable to get the records from Jack Ayers, and furthermore, that he did not know as to the receipts and disbursements of the affairs of the corporation except that he signed checks as a co-signer, sometimes in blank. The records of one bank disclose that the Capitol Brokers, Inc. and Jack Ayers in 1937 deposited approximately \$12,000.00 and in 1938 \$24,000.00. The American Distilling Company account, which is probably one of the principal accounts of the "Capitol Brokers, Inc." or Jack Ayers, is not available to the committee as the company has failed to furnish information as to the commissions paid for the year 1938 although repeatedly written and telegraphed to do so. It appears that the Capitol Brokers, Inc., have banked in one institution approximately \$36,000.00 from April, 1937, to December 31, 1938, and that the incorporators received no dividends whatsoever. The committee has been unable to ascertain what disposition has been made of this money, except for a portion that was spent in the mining operations.

The evidence discloses that for a period of between four and five years prior to the Capitol Brokers, Inc., acquiring The American Distilling Company account, the company was represented by Dr. Boris A. S. Aranow, for several years a prominent surgeon, oil operator and business man in Shelby.

Dr. Aranow testified in part as follows:

Q. How did you happen to form any connection with that company?

A. I knew the Chairman of the Board of Directors through former associates in New York. I used to live in New York. When prohibition terminated, they approached me to represent the organization in north-eastern Montana.

Q. About how long did you represent them in that capacity?

A. Just about four or five years.

Q. Through the period that you represented them, what would you say, roughly, was the average monthly income for the services you rendered?

A. Probably it would be \$10,000 or \$12,000 a year or more.

Q. Was there anything unpleasant with your relations with the company which caused you to abandon a contract that was producing about \$10,000 or \$12,000 a year?

A. No, nothing.

Dr. Aranow testified as follows relative to the severance of his contract:

Q. Have you heard the rumor that a man selling the board, or trying to sell the board might do better, or get along better if he made financial arrangements with a man by the name of Jack Ayers?

A. No I didn't hear, except that I saw some letters of Ayers' when I was with an agent of the American Distillery.

Q. Where did you say it was?

A. New York.

Q. Did he write letters to the American Distillery before you released your contract with them?

A. Yes, he did.

Q. And in those letters, did he indicate that he had influential connections which might be to the advantage of the company if they employed him?

A. Yes, he did.

Q. And in those letters, did he mention a connection with the present Governor of the state?

A. He made promises that he is an influential man.

Q. Well I mean, did he mention the Governor's name, his connection and association with him, and influence with him?

A. Yes, he did.

Q. Don't you think, Doctor, that perhaps as a result of those letters the American Distillery took the position that perhaps it would be better if they were represented by Jack Ayers than by you?

A. Well, I thought possibly that it was.

The committee made an earnest effort to procur the files respecting this matter from the American Distillery Company but were unsuccessful in obtaining the same.

In this particular, attention is called to the fact that since the Capitol Brokers, Inc. secured the American Distilling Company contract, that the purchases have increased until it now leads all other lists in volume.

THE C. L. DOW COMPANY

The records disclose that there is some relationship between the activities of the Capitol Brokers, Inc., and C. E. Dow or the C. E. Dow Company of Havre. Jack Ayers is apparently interested in what is known as the Dow-Snyder Placer Company. The evidence also discloses that Dow and Jack Ayers have been acquainted for a number of years and apparently are on very friendly terms.

Dow, who formerly was convicted in Federal Court on violation of the Prohibition Act, for some months has been a distributor of beer along a portion of the Great Northern line with headquarters at Havre, and in November, 1937, obtained the Schenley Distillers Corporation contract for Montana. Their former agent was Martin B. O'Neill of the brokerage firm of Carr-O'Neill Company of Butte, and have been engaged in business as commission men for eighteen years. Mr. O'Neill testified in part as follows:

Q. Was your brokerage company formerly the Montana representative of Schenley Distillers Corporation of New York?

A. It was.

Q. As such representative, did you sell liquor and products of that company to the Montana Liquor Control Board?

A. I did.

Q. And about what time did your connection with that company cease?

A. November, 1937.

Q. And at the time your connection with them ceased, had your dealings with Montana Liquor Control Board been satisfactory to you as such representative?

A. Yes.

Q. And had you had any complaint from the distillery that your business dealings with them were not satisfactory?

A. No.

Q. Did your firm give up this brokerage contract?

A. No, it was taken away from us by our principals.

Q. After you lost the contract, have you endeavored to find out the real reason why you lost it?

A. Well, we have got a lot of things we think, but the real reason we don't know. The only reason I could figure was that possibly our representing Schenley wasn't satisfactory to people who possibly control the sale of liquor.

Q. Did you have more reason to come to that conclusion than you did to any other?

A. Well, it was just my own . . . I felt for several months before we lost the account that possibly someone else would do more business than we did.

Q. Why?

A. Because it was extremely hard for us to get a sufficient supply of goods and keep it in the stores.

Q. That is due to the way that your orders were handled by the Liquor Control Board?

A. That is correct.

Q. Well, then, it isn't true that up to the time when you gave up the contract, your dealings were entirely satisfactory with the Board?

A. Perhaps you are right.

Q. Did it appear to you that there was delay in filling the orders?

A. I wouldn't say delay in securing the orders; there was delay in ordering the merchandise.

Q. Whatever delay there was, was on the part of the Board or administrator?

A. That is correct.

Q. Did you believe, as a business man, that if that delay were removed, you would do more business for your principal?

A. I did.

Mr. O'Neill further testified as follows:

Q. You will observe from the letter of this former principal of yours that in 1938 they paid Mr. Dow the sum of \$19,926.78. Did they ever pay anywhere near that sum to your firm as brokers?

A. No.

Q. What is the greatest amount they paid to you in any one year?

A. \$12,700.00.

The evidence before the committee discloses that in 1938, the Dow Company received \$19,926.78 in commissions. An increase of over \$7,000.00 of what it formerly received.

C. L. Dow was subpoenaed before the committee to bring his bank statements. His evidence was far from satisfactory but disclosed that approximately one-half of this commission was drawn in the shape of cash from checks on a Havre bank. He refused to divulge what had become of this money other than to say that it was in money in his possession. He stated that it was not in a bank or safety deposit box or in the shape of cashiers checks or other form of credit, but large checks were paid in currency and retained by him. Dow was to appear for further examination the following morning after he testified, but failed to appear, and the committee received a letter inclosing a wire from his wife in Minneapolis stating she was ill.

The attitude of Dow was very defiant. He repeatedly refused to disclose the disposition of cash drawn from the bank in large amounts. The committee feels that he was telling untruths, and the disposition of approximately \$9,500.00 in cash for the year 1938 was not satisfactorily accounted for.

THE U. D. L. TRANSACTION

Continuing the racket idea, we will proceed to the transactions relative to the U. D. L. line of liquors represented by J. & J. Dunbar Company of Seattle. R. J. Gilmartin, proprietor of the Gold Medal Dairies at Missoula and for fifteen years a prominent business man of Great Falls and Missoula, formerly was the agent of the J. & J. Dunbar Company. Mr. Gilmartin testified that his side line of liquor was worth from \$5,000 to \$6,000 a year gross and apparently his representation was very satisfactory to the company, and undoubtedly was carried on in a business manner. Mr. Gilmartin's contract was terminated in July, 1937.

Mr. Gilmartin's evidence in part is as follows:

Q. Now, a short time preceding the time when your contract was ended, did you see Jack Ayers with any representative of the Dunbar Company?

A. Yes, I did.

Q. And was that man's name Mr. Ostrow?

A. Yes.

Q. And will you tell us where you saw them?

A. In my room at the Placer Hotel.

Q. Was Mr. Ayers in your room at your invitation?

A. No. Mr. Ostrow called him up there.

Q. And do you know if Ayers and Ostrow had a conference after they had seen you, and then saw you later, after the conference?

A. Yes, they went into the adjoining room, which was Mr. Ostrow's and talked for some time, and returned to my room later.

Q. Did you have a talk with Mr. Ostrow later that same day about your contract?

A. Yes, on the way going home to Missoula.

Q. Were you rather suspicious that the contract might be taken from you?

A. Yes, I was.

Mr. Gilmartin further testified in part as follows:

Q. Was there any reason given to you why the contract was taken from you?

A. Mr. Ostrow told me that he had instructions from Baltimore to do away with the state agent and handle it by their own salesman out of the Seattle office.

Q. Now, at that time, were you aware of any ruling by the Board that the distillery had to have a state representative?

A. That was my impression.

Q. Did you seek to inform yourself on that point by conferring with anyone that you believed had knowledge of it?

A. Yes, I did.

Q. And did you receive assurance that distillers dealing with the Board had to have a state representative in Montana?

A. Yes.

Q. Now, have you heard or learned of any state representative in Montana for that concern up until the first of December, 1938?

A. I have never heard anything since I was told that their salesman at Seattle would represent them.

Q. For your information, we advise you that we have been informed, by means of a letter from the company to Mr. John Page, that he is their state representative at a salary of \$75.00 per month, since December 1, 1938. Do you know a man by the name of A. Gunnard, or Andy Gunnard?

A. Yes, I do.

After much pressure from the committee, J. & J. Dunbar Company finally had their representative appear before the committee. He admitted that he had been in the state but four or five times, in 1938, the last time being in June, 1938. Nevertheless, his commissions amounted in excess of \$9,000.00 for 1937 and 1938. Mr. Gunnard claims to have no checking account and converted large checks into cash, stating that he carried large sums of money with him but sometimes deposited a portion to a savings account. Gunnard further admitted receiving a regular salary from the Dunbar Company, and it is our opinion that the checks cashed in excess of \$9,000.00 were not retained by Gunnard but a portion split with other persons.

THE E. J. JOHNSON COMPANY

The testimony disclosed that the E. J. Johnson Company is not incorporated, and Mr. Johnson stated that he constituted the company. Johnson is a distributor of five lines of beer throughout central Montana, with headquarters at Lewistown.

A sub-committee examined the bank records of E. J. or Butch Johnson, and later at Mr. Johnson's residence examined his checks.

This examination disclosed checks totaling \$4,425.00 made to cash. Three of these checks bore what apparently were identification notations on the corners. One notation was composed of the letters "T.S." Two of the other checks had the notations "D & T." We made a record of these notes, and on the following morning we subpoenaed Johnson with his check and found that erasures in the meantime had been made of the initials and new marks initiated. We demanded an explanation and he had none to offer. We inquired further as to what individuals the initials referred to and he again refused to answer. It is our opinion that a portion of the proceeds of this \$4,425.00 was paid to others than E. J. or Butch Johnson. In this particular it is interesting to note that Administrator Wass stated that it was his belief that no commissions in excess of five percent (5%) were paid, that in one month Johnson's record showed that he had received over \$1,000.00 in commissions based on seven and one-half percent (7½%) commission.

The similarity of all these transactions is so much different from those of other distilleries that it forces anyone to wonder if there was not a common plan.

During the investigations at Lewistown, the so-called commissary deal was discovered, and testimony was given by Dr. Dunn and May King. This evidence was submitted to the House about a week ago for their consideration, and awaiting the same we will not at this time go into the details.

In conclusion, it is our opinion that if this so-called racket in the liquor business is not stopped, there is a great probability that in a short time the entire control will be in the hands of a very few persons, and that the State of Montana will be penalized by excessive charges and commissions.

Because of its refusal to cooperate with this committee in the production of information asked for, and particularly its correspondence with said Jack Ayers, and because of its representation in this state by the Capitol Brokers, Inc., this committee recommends that the Montana Liquor Control Board have no further dealings whatsoever with the American Distilling Company; and because the J. & J. Dunbar and Co., of Seattle, Washington, sellers of U. D. L. products, has had no Montana representative in the sales of its liquors to the Control Board for many months past, it is recommended that the Montana Liquor Control Board have no further dealings whatsoever with the said J. & J. Dunbar and Co.

In addition to such action as the House of Representatives may take, we believe that a complete report should be made of apparent violations of the Robinson-Pattman Act on fair trade, and that the Internal Revenue Department should fully investigate the incomes of the various parties mentioned and that charges may properly lie at the present time for prosecutions of income tax evasions of this state, and also for perjury.

MOSS (Flathead), Chairman.
FRESHMAN,
HESS,
HOINESS,
BAKER,

House Committee.

KATHAN, Chairman.
COTTER,
CHAPMAN,
ARNOLD,
CALDER,

Senate Committee.

February 28, 1939.

On motion duly made, seconded and carried, adopted by Special Investigating Committee.

BYRNE, Chairman.

It was moved by Moss of Flathead, duly seconded, that the report of the committee be adopted.

On substitute motion, it was moved by McLeod, duly seconded, that the report be amended to ask for the immediate discharge of the present liquor administrator of the Montana Liquor Control Board and request that the affairs of said board be handled by the State Purchasing Agent by making purchases direct from the distilling companies.

As a substitute motion for all motions pending, it was moved by McLeod, duly seconded and carried, that further consideration of the report be made a Special Order of business following the Special Order of Business set for tomorrow morning at 11:00 o'clock A. M.

Mr. Speaker: We, your conference committee, having had under consideration House amendments to Senate Bill No. 125, respectfully report and recommend that the Senate concur in House amendment in line 6, after the word "equipment"; that the Senate concur in House amendment in line 8, after the word "county"; that the House recede from its amendment in line 7, after the word "town"; that Senate Bill No. 125 be amended as follows: Amend by adding, after the word "town" in line 7, the words "of four thousand population or less", and that when so amended, Senate Bill No. 125 be concurred in.

REED,
RICE,
JAMES,

For the House.

CAMPBELL (Missoula),
WAITE,
ARMSTRONG,

For the Senate.

Report of the conference committee on House Amendments to Senate Bill No. 125 was adopted by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Baker, Balgord, Beadle, Beck, Berthot, Bjerneby, Bower, Brower, Brown, Byrne, Cannon, Clark, Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Findlater, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, Horrigan, James, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Longenecker, Lowe, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Metlen, Miles, Morrison, Moss (Flathead), Moss (Custer), Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Reed, Rice, Roehl, Ryan, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Stromnes, Vanderbeck, Wenger, Williams, Wilson, Woods, Zuck and Mr. Speaker. Total 82.

Noes: Cole (Petroleum), Emswiler, Long, Lynch. Total 4.

Absent and not voting: Acher, Anderson (Cascade), Armstrong, Aronson, Cole (Prairie), D'Ewart, Flynn, Freshman, Kellogg, Loughran, Malee, McFatrige, Murray, Sullivan, Tyler, Watson. Total 16.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate did, upon roll call, on this date, adopt the Joint Conference Committee reports on the following Bills: Senate Bill No. 5, House Bills Nos. 133 and 161, Senate Bill No. 125 and Substitute House Bill No. 53.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President, upon motion duly adopted, appointed the following Senate Conference Committee to act with a like committee from the House in consideration of Senate Amendments on the following House Bills: House Bill No. 363; Hammond, Kroman and Pauline; House Bill No. 410: McQuitty, Waite and Haight; House Bill No. 419: Kroman, Plank and Pauline; House Bill No. 427: Plank, Kroman and Pauline.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

The Speaker appointed Antrim, Morrison and Findlater as conference committee to act on Senate Amendments to House Bill No. 426.

It was moved by McLeod, duly seconded and carried, that the House recess for ten minutes.

House resumed. Mr. Speaker in the Chair.

MOTIONS AND RESOLUTIONS

It was moved by Ekern, duly seconded and carried, that the House reconsider its action on the university report adopted yesterday.

It was moved by McLeod, duly seconded and carried, that the House take up the university report immediately after the Special Order of Business on the Liquor Control Board report.

It was moved by McLeod, duly seconded and carried, that the House adjourn until Thursday, March 2nd, 1939, at 9:30 A. M.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

SIXTIETH DAY

House of Representatives,
Helena, Montana.
March 2, 1939.

House convened, pursuant to adjournment, at 9:30 o'clock A. M.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call, all members were present except the following who were excused: Flynn.

The following members on the Special Investigating Committee to investigate State Boards and Offices, were excused, to perform the duties of such Committee: Byrne, Moss (Flathead), Spiegel, Hoiness, Hess, O'Connor, Freshman, Baker, Leuthold, Ekern, Stromnes, Lowe, Watson, Malee, Lehrkind.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifty-ninth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate on roll call, has adopted the following Joint Conference Committee Reports on the following bills: Substitute House Bill No. 170 and House Bills Nos. 183, 385, 144, and 322.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS. HOUSE RESOLUTION

WHEREAS, Under and by virtue of a motion duly made, seconded and carried, in the House of Representatives of the Twenty-sixth Legislative Assembly on the 11th day of January, 1939, a Special Investigating Committee was appointed for the purpose of investigating all elective and appointive State Officers, Offices, Boards, Bureaus, Departments, Commissions and Institutions; and

WHEREAS, the committee so appointed has made inquiry, as provided for in said motion, into the affairs of the office of the Attorney General of the State of Montana and in particular with reference to the conduct of Harrison J. Freebourn, the said Attorney General in the discharge of the duties of his office, and has returned to this House a report of its findings of such investigation; and

WHEREAS, the said report and the testimony and evidence supporting the same has been considered by the House of Representatives of the Twenty-sixth Legislative Assembly in regular session, and the same shows or tends to show that the said Harrison J. Freebourn, Attorney General of the State of Montana, has been and is guilty of high crimes, misdemeanors and malfeasance in office;

NOW THEREFORE, BE IT RESOLVED, that the said Harrison J. Freebourn, Attorney General of the State of Montana, be, and he is hereby impeached of high crimes, misdemeanors and malfeasance in office.

It was moved by Byrne, duly seconded, that the resolution be adopted. Resolution was referred to the Special Investigating Committee by the Speaker.

The Speaker announced the appointment of the following conference committee: House Amendments to Senate Bill No. 5—Dougherty, Lippard and Miles.

It was moved by McLeod, duly seconded and carried, that the House recess for 15 minutes.

House resumed. Mr. Speaker in the Chair.

REPORTS OF SPECIAL COMMITTEES

Mr. Speaker: We, your Joint Conference Committee appointed to confer on Substitute House Bill No. 14, report as follows:

That all Senate amendments be concurred in, and in addition:

That Substitute House Bill No. 14 be amended by adding a new section between Sections 4 and 5 which will read as follows:

Section 5. "Regardless of any of the other provisions of this Act, it shall be prima facie evidence of reckless driving for any person to operate any vehicle anywhere in Montana during the night time at a speed in excess of fifty-five (55) miles per hour."

And that Section 5 be numbered Section 6 and Section 6 be numbered Section 7.

JAMES,
SMITH,
ANDERSON (Phillips),
For the House.

PLUMER,
MARTIN,
KATHAN,
For the Senate.

It was moved by Anderson of Phillips, duly seconded, that the conference committee report be adopted. On substitute motion, it was moved by Cannon duly seconded, that the report be rejected and a new conference committee appointed and a like committee requested from the Senate.

As a substitute motion for all motions pending, it was moved by Anderson of Cascade, duly seconded, that the motion by Cannon be tabled. Motion lost. A roll call, to be entered in the Journal, was requested by the required number, and motion by Cannon lost by the following vote:

Ayes: Anderson (Cascade), Aronson, Baker, Balgord, Beadle, Brown, Cannon, Daniel, Freshman, Green, Horrigan, Kellogg, Listug, Long, Lowe, Malee, Martin, McCarthy, McClain, McGee, McLeod, Melin, Metlen, Moss (Custer), Murray, Potter, Roehl, Ryan, Spiegel, Stevens, Sullivan, Wenger, Williams, Wilson. Total 34.

Noes: Acher, Acton, Anderson (Phillips), Antrim, Beck, Berthot, Bjorneby, Bower, Brower, Byrne, Clark, Cole (Petroleum), Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Friedl, Gebhardt, Goodwin, Hageman, Hammond, Hess, James, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Longenecker, Lynch, McPatridge, McKenna, Miles, Morrison, Moss (Flathead), Newell, O'Connor, Padbury, Parker (Wibaux), Petersen, Reed, Rice, Scofield, Siegling, Smith, Stafford, Stewart, Tyler, Vanderbeck, Watson, Woods, Zuck, Mr. Speaker. Total 60.

Absent and not voting: Armstrong, Cole (Prairie), Flynn, Hoiness, Loughran, Parker (Flathead), Sorte, Stromnes. Total 8.

Whereupon the conference committee report was adopted by the following vote:

Ayes: Acton, Anderson (Phillips), Antrim, Balgord, Beck, Berthot, Bjorneby, Bower, Brower, Byrne, Cole (Petroleum), Collins, DeDobbeleer, Dougherty, Duncan, Dunn, Emswiler, Findlater, Gebhardt, Goodwin,

Green, Hageman, Hammond, Hess, James, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Longenecker, Lowe, Lynch, Martin, McKenna, Melin, Miles, Morrison, Moss (Flathead), O'Connor, Padbury, Parker (Wibaux), Petersen, Reed, Rice, Scofield, Siegling, Smith, Sorte, Stafford, Stevens, Stewart, Tyler, Watson, Wilson, Woods, Zuck, Mr. Speaker. Total 61.

Noes: Anderson (Cascade), Aronson, Baker, Beadle, Brown, Cannon, Clark, Daniel, D'Ewart, Hoiness, Horrigan, Kellogg, Long, Malee, McCarthy, McClain, McGee, McLeod, Metlen, Moss (Custer), Murray, Newell, Potter, Roehl, Ryan, Spiegel, Sullivan, Vanderbeck, Wenger, Williams. Total 30.

Absent and not voting: Acher, Armstrong, Cole (Prairie), Ekern, Flynn, Freshman, Friedl, Loughran, McFatridge, Parker (Flathead), Strommes. Total 11.

Mr. Speaker: We, your Conference Committee having had under consideration Senate Amendments to House Bill No. 419, respectfully report that House Bill No. 419 be amended as follows:

Amendment in Section One, reducing total appropriation, concurred in.

Amendment in Section Two, withdrawn by Senate and the following substituted in lieu thereof:

In line 28 and 29, page one, of the original bill, strike the words and figures "three hundred thirty thousand dollars (\$330,000)" and insert the words and figures, "two hundred eighteen thousand dollars (\$218,000)."

In line thirty and thirty-one, page one, of the original bill, strike the words and figures "ninety-six thousand five hundred dollars (\$96,500)" and insert the words and figures, "sixty-seven thousand dollars (\$67,000)".

In line 32, page one, and line one, page two, of the original bill, strike the words and figures, "four thousand dollars (\$4,000)" and insert the words and figures, "three thousand four hundred dollars (\$3,400)".

In lines two and three, page two, of the original bill, strike the words and figures, "twelve thousand dollars (\$12,000)" and insert the words and figures, "eight thousand three hundred dollars (\$8,300)".

In lines four and five of page two of the original bill, strike the words and figures, "five thousand dollars (\$5,000)" and insert the words and figures, "three thousand three hundred dollars (\$3,300)".

In lines six and seven, page two, of the original bill, strike the words and figures, "three hundred twenty thousand dollars (\$320,000)" and insert the words and figures, "two hundred forty thousand dollars (\$240,000)".

In lines eight and nine, page two, of the printed bill, strike the words and figures, "eighty thousand dollars (\$80,000)" and insert the words and figures, "sixty thousand dollars (\$60,000)".

Amendment in Section three concurred in.

Amendment in Section four withdrawn by Senate.

ARMSTRONG,
FINDLATER,
SPIEGEL,
For the House.

PLANK,
KROMAN,
PAULINE,
For the Senate.

STATEMENT

Mr. Speaker: We, your House Committee readily accepted the Senate reduction in the total appropriation under this bill for the reason that we have definite information that the Welfare Commission has now on deposit with the State Treasurer the sum of \$146,000.00 of which you will note is appropriated under section three of this bill and is, therefore, made available, to be deposited for the various purposes enumerated under the bill.

Furthermore, in Section Three of this bill you will note that amounts due the Welfare Department from the various counties are also appropriated. We are told that this amount is approximately \$250,000.00 and that in the period covered by the appropriation it is possible that 43% of that amount will be collected or approximately \$107,500.00.

It is the opinion of this Committee that the appropriation made under this bill is ample to take care of the needs of the Welfare Department.

ARMSTRONG,
FINDLATER,
SPIEGEL,
For the House.

PLANK,
KROMAN,
PAULINE,
For the Senate.

Report of conference committee on Senate Amendments to House Bill No. 419 was adopted by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Beck, Berthot, Bjerneby, Bower, Byrne, Clark, Collins, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Freshman, Gebhardt, Green, Hageman, Hammond, Hess, Hoiness, Kellogg, Lehrkind, Leuthold, Liggett, Lippard, Listug, Longenecker, Loughran, Lowe, McFatrige, McGee, McKenna, Miles, Morrison, Moss (Flathead), Newell, O'Connor, Padbury, Parker (Wibaux), Potter, Reed, Roehl, Scofield, Smith, Sorte, Tyler, Vanderbeck, Watson, Williams, Wilson, Zuck, Mr. Speaker. Total 61.

Noes: Anderson (Cascade), Beadle, Brower, Cannon, Cole (Petroleum), Daniel, Friedl, Goodwin, Horrigan, Long, Malee, Martin, McCarthy, McClain, McLeod, Melin, Moss (Custer), Murray, Petersen, Rice, Ryan, Stafford, Stevens, Strommes, Sullivan, Wenger, Brown. Total 27.

Absent and not voting: Balgord, Cole (Prairie), Flynn, James, Kirscher, Lambert, Laubach, Lynch, Metlen, Parker (Flathead), Siegling, Spiegel, Stewart, Woods. Total 14.

Mr. Speaker: We your Special Investigating Committee, to whom was referred the following Resolution:

"WHEREAS, under and by virtue of a motion duly made, seconded and carried in the House of Representatives of the Twenty-sixth Legislative Assembly on the 11th day of January, 1939, a Special Investigating Committee was appointed for the purpose of investigating all elective and appointive State Officers, Offices, Boards, Bureaus, Departments, Commissions and Institutions; and

WHEREAS, the committee so appointed has made inquiry as provided for in said motion, into the affairs of the office of the Attorney General of the State of Montana, and in particular with reference to the conduct of Harrison J. Freebourn, the said Attorney General in the discharge of the duties of his office, and has returned to this House a report of its findings of such investigation; and

WHEREAS, the said report and the testimony and evidence supporting the same has been considered by the House of Representatives of the Twenty-sixth Legislative Assembly in regular session, and the same shows or tends to show that the said Harrison J. Freebourn, Attorney General of the State of Montana, has been and is guilty of high crimes, misdemeanors and malfeasance in office;

NOW THEREFORE, BE IT RESOLVED, that the said Harrison J. Freebourn, Attorney General of the State of Montana be, and he is hereby impeached of high crimes, misdemeanors and malfeasance in office," respectfully report and recommend that the Resolution be adopted.

BYRNE, Chairman.

It was moved by Byrne, duly seconded, that the report of the Committee be adopted. A call of the House was ordered by the required number. On motion, duly seconded and carried, call of the House was dispensed with.

The Speaker ruled that it would take a majority of the elected members of the House to adopt the report, being 52. Motion to adopt report lost by the following vote:

Ayes: Acton, Anderson (Phillips), Armstrong, Aronson, Baker, Berthot, Byrne, Clark, Cole (Petroleum), Collins, D'Ewart, Dougherty, Dunn, Findlater, Freshman, Gebhardt, Goodwin, Green, Hageman, Hammond, Hoiness, Kellogg, Kirscher, Laubach, Lehrkind, Leuthold, Lippard, Longenecker, Lowe, Lynch, McFatridge, Morrison, Moss (Flathead), Newell, O'Connor, Parker (Flathead), Potter, Reed, Rice, Roehl, Scofield, Siegling, Stafford, Stewart, Stromnes, Vanderbeck, Watson, Williams, Wilson, Woods. Total 50.

Noes: Anderson (Cascade), Antrim, Balgord, Beadle, Beck, Bjerneby, Bower, Brower, Brown, Cannon, Daniel, DeDobbeleer, Duncan, Ekern, Emswiler, Friedl, Hess, Horrigan, James, Lambert, Liggett, Listug, Long, Malee, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Metlen, Miles, Moss (Custer), Murray, Padbury, Petersen, Ryan, Smith, Sorte, Spiegel, Stevens, Sullivan, Tyler, Wenger, Zuck, Mr. Speaker. Total 48.

Absent and not voting: Acher, Cole (Prairie), Flynn, Loughran. Total 4.

SPECIAL ORDER OF BUSINESS

The report of the Special Investigating Committee on the Fish and Game Department which was made a special Order of Business was considered by the House, and adopted.

The report of the Special Investigating Committee on the Montana Liquor Control Board, which was made a special Order of Business, was considered by the House. It was moved by Moss of Flathead, duly seconded, that the report be adopted. On substitute motion, after considerable discussion, it was moved by McLeod, duly seconded and carried, that consideration of said report be passed for one hour.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Joint Conference Committee, appointed to consider Senate Amendments to House Bill No. 426, respectfully report that your Conference Committee is unable to agree and request that your Committee be discharged and a new committee appointed, and a new committee requested from the Senate.

ANTRIM,
MORRISON,
FINDLATER.

Report adopted.

Mr. Speaker: We, your conference committee, appointed to confer on Senate Amendments to House Bill No. 427 report and recommend as follows:

Section 2. Strike out Senate Amendments to Section 2. Amend Section 2 by striking out in line 5 and 6 of the printed bill the words and figures "one million, one hundred thousand dollars \$1,100,000" and inserting in lieu thereof the words and figures "nine hundred ninety thousand dollars \$990,000".

Amend lines 7 and 8 by striking out the words and figures "three hundred seventy one thousand \$371,000" and inserting in lieu thereof the words and figures "three hundred thousand dollars \$300,000".

Amend lines 9 and 10 by striking out the words and figures "nineteen thousand dollars \$19,000" and inserting in lieu thereof the words and figures "sixteen thousand five hundred dollars \$16,500."

Amend line 14 by striking out the words and figures "thirty five thousand dollars \$35,000" and inserting in lieu thereof the words and figures "fifteen thousand dollars \$15,000".

Amend lines 15 and 16 by striking out the words and figures "five hundred fifty thousand dollars \$550,000," and inserting in lieu thereof the words and figures "four hundred thirty-nine thousand, five hundred dollars \$439,500."

Amend lines 19 and 20 by striking out the words and figures "two hundred thirty-five thousand dollars \$235,000" and inserting in lieu thereof the words and figures "two hundred thousand dollars \$200,000".

Section 4. Amend Section 4 by striking out Senate amendments to Section 4.

Further amend Section 4 in line 5 and 6 by striking out in the printed bill the words and figures "one million one hundred thousand dollars \$1,100,000" and inserting in lieu thereof the words and figures "nine hundred ninety thousand dollars \$990,000".

Amend lines 7 and 8 by striking out the words and figures "three hundred seventy one thousand dollars \$371,000" and inserting in lieu thereof the words and figures "three hundred thousand dollars \$300,000."

Amend line 9 by striking out the words and figures "nineteen thousand dollars \$19,000" and inserting in lieu thereof the words and figures "sixteen thousand five hundred dollars \$16,500."

Amend line 13 by striking out the words and figures "thirty five thousand dollars \$35,000" and inserting in lieu thereof the words and figures "fifteen thousand dollars \$15,000".

Amend lines 14 and 15 by striking out the words and figures "five hundred fifty thousand dollars \$550,000" and inserting in lieu thereof the words and figures "four hundred thirty-nine thousand five hundred dollars \$439,500."

Amend lines 18 and 19 by striking out the words and figures "two hundred thirty five thousand dollars \$235,000" and inserting in lieu thereof the words and figures "two hundred thousand dollars \$200,000."

Section 6. Amend Section 6 by striking out the Senate amendments to Section 6.

The Senate amendments in Sections 1 and 3 are adopted.

And as amended, House Bill No. 427 do pass.

STATEMENT

The Conference Committee recommendations leave the total amount appropriated the same as provided in the Senate Amendments but instead of appropriating for all departments in one lump sum the amendments

definitely allocate a fixed amount for each activity. These amounts are based largely on actual expenditures during the latter part of the present biennium. It leaves Section 6 which provides for the transfer of funds from one account to another in the original form as provided in the printed bill.

ANTRIM,
ROEHL,
LAMBERT,
For the House.

KROMAN,
PLANK,
PAULINE,
For the Senate.

Report of conference committee on Senate Amendments to House Bill No. 427 was adopted by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Berthot, Bjerneby, Bower, Byrne, Clark, Collins, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Gebhardt, Green, Hageman, Hammond, Hess, Horrigan, James, Kellogg, Kirscher, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Long, Longenecker, Loughran, Lowe, Lynch, McFatridge, Morrison, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Roehl, Scofield, Smith, Sorte, Stevens, Tyler, Vanderbeck, Watson, Williams, Wilson, Zuck, Mr. Speaker. Total 62.

Noes: Anderson (Cascade), Beadle, Beck, Brower, Brown, Cannon, Cole (Petroleum), Daniel, DeDobbeleer, Ekern, Friedl, Goodwin, Malee, Martin, McCarthy, McClain, McGee, McKenna, McLeod, Melin, Moss (Custer), Murray, Petersen, Ryan, Stafford, Stromnes, Sullivan, Wenger. Total 28.

Absent and not voting: Cole (Prairie), Flynn, Freshman, Hoiness, Metlen, Miles, Moss (Flathead), Rice, Siegling, Spiegel, Stewart, Woods. Total 12.

Mr. Speaker: We, your Committee on Joint Conference having had under consideration House Bill No. 186, respectfully report as follows: Your said Joint Conference Committee on Senate Amendments to said House Bill No. 186 agrees that the House accedes to or concurs in the Senate Amendments to said House Bill No. 186.

ANTRIM,
HOINESS,
SMITH,
For the House.

SIMMONS,
ALVORD,
LAMP,
For the Senate.

Report of conference committee on House Amendments to Senate Bill No. 186 was adopted by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Antrim, Armstrong, Aronson, Baker, Balgord, Beadle, Berthot, Bjerneby, Bower, Brown, Byrne, Cannon, Clark, Cole (Petroleum), Collins, Daniel, DeDobbeleer, D'Ewart, Ekern, Findlater, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, Hoiness, James, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, McFatridge, McGee, McKenna, McLeod, Morrison, Moss (Custer), Newell, O'Connor, Padbury, Parker (Flathead), Reed, Roehl, Scofield, Siegling, Smith, Sorte, Spiegel, Stafford, Stevens, Tyler, Vanderbeck, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 69.

Noes: Beck, Brower, Duncan, Emswiler, Horrigan, Kellogg, Long, Martin, McCarthy, McClain, Melin, Murray, Parker (Wibaux), Petersen, Potter, Ryan, Watson. Total 17.

Absent and not voting: Anderson (Cascade), Cole (Prairie), Dougherty, Dunn, Flynn, Freshman, Kirscher, Malee, Metlen, Miles, Moss (Flathead), Rice, Stewart, Stromnes, Sullivan, Woods. Total 16.

Mr. Speaker: We, your Joint Conference Committee, submit the following report in connection with the House Amendments to Senate Bill No. 206; the House recedes from all of the House Amendments to said Senate Bill No. 206 and the Committee recommends that Senate Bill No. 206, as amended in the Senate, be concurred in.

DOUGHERTY,

LEHRKIND,

BECK,

For the House.

ARNOLD,

ROBINSON,

KEELEY,

For the Senate.

Report of conference committee on House Amendments to Senate Bill No. 206 was not adopted by the following vote:

Ayes: Acher, Acton, Balgord, Beck, Berthot, Bjorneby, Bower, Cannon, Collins, DeDobbeleer, D'Ewart, Dougherty, Dunn, Emswiler, Findlater, Friedl, Green, Hageman, Hammond, Hess, Kirscher, Lambert, Lehrkind, Leuthold, Listug, Loughran, Lowe, McGee, Metlen, Moss (Custer), O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Smith, Sorte, Stevens, Stromnes, Wilson, Mr. Speaker. Total 40.

Noes: Anderson (Phillips), Anderson (Cascade), Antrim, Brower, Brown, Byrne, Clark, Cole (Petroleum), Daniel, Duncan, Gebhardt, Hoiness, Horrigan, James, Kellogg, Laubach, Liggett, Lippard, Long, Longenecker, Lynch, Martin, McCarthy, McFatridge, McKenna, McLeod, Melin, Morrison, Murray, Newell, Petersen, Potter, Reed, Roehl, Ryan, Scofield, Siegling, Spiegel, Stafford, Sullivan, Vanderbeck, Watson, Wenger, Zuck. Total 44.

Absent and not voting: Armstrong, Aronson, Baker, Beadle, Cole (Prairie), Ekern, Flynn, Freshman, Goodwin, Malee, McClain, Miles, Moss (Flathead), Rice, Stewart, Tyler, Williams, Woods. Total 18.

MOTIONS AND RESOLUTIONS

It was moved by Friedl, duly seconded and carried, that another conference committee be appointed to meet with a like committee from the Senate on House Amendments to Senate Bill No. 206.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your conference committee appointed to confer on Senate Amendments to House Bill No. 410, report and recommend as follows: That the House agrees to all Senate Amendments.

STROMNES,

LEUTHOLD,

ZUCK,

For the House.

McQUITTY,

WAITE,

HAIGHT,

For the Senate.

Conference committee report on Senate Amendments to House Bill No. 410 was adopted by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Aronson, Baker, Balgord, Beadle, Beck, Berthot, Bjorneby, Brower, Byrne, Clark, Collins, Daniel, DeDobbeleer, D'Ewart, Duncan, Emswiler, Findlater, Friedl, Gebhardt, Goodwin, Green, Hageman, Hammond, Hess, James, Kellogg, Lambert, Lehrkind, Leuthold, Liggett, Lippard, Listug, Loughran, Lowe, Martin, McCarthy, McClain, McFatridge, McGee, McKenna, McLeod, Melin, Morrison, Moss (Custer), Murray, Newell, O'Connor, Padbury, Parker (Wibaux), Parker (Flathead), Potter, Reed, Roehl, Scofield, Smith, Sorte, Spiegel, Stafford, Stevens, Stewart, Sullivan, Tyler, Vanderbeck, Watson, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 74.

Noes: Brown, Cannon, Cole (Petroleum), Horrigan, Long, Longenecker, Ryan. Total 7.

Absent and not voting: Armstrong, Bower, Cole (Prairie), Dougherty, Dunn, Ekers, Flynn, Freshman, Hoiness, Kirscher, Laubach, Lynch, Malee, Metlen, Miles, Moss (Flathead), Petersen, Rice, Siegling, Stromnes, Woods. Total 21.

MOTIONS AND RESOLUTIONS

It was moved by McLeod, duly seconded, that the House reconsider its action on motion by Friedl, on House Amendments to Senate Bill No. 206. Motion lost.

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Bills Nos. 140, 159, 161, 183, 317, 351, 372, 385, and Substitute House Bill No. 53.

COLE (Prairie),
Vice-Chairman.

Report adopted.

I have examined House Bill No. 385 introduced by me and find the same to be correct.

SORTE.

I have examined House Bill No. 372 introduced by me and find the same to be correct.

GOODWIN.

I have examined House Bill No. 351 introduced by me and find the same to be correct.

MALEE.

I have examined House Bill No. 317 introduced by me and find the same to be correct.

BECK.

I have examined House Bill No. 183 introduced by me and find the same to be correct.

LEUTHOLD.

I have examined House Bill No. 161 introduced by me and find the same to be correct.

MELIN.

I have examined House Bill No. 159 introduced by me and find the same to be correct.

STROMNES.

I have examined House Bill No. 140 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined Substitute House Bill No. 53 introduced by me and find the same to be correct.

FRIEDL.

The Speaker appointed the following conference committee to act with a like committee from the Senate to act on Senate Amendments to House Bill No. 426: Antrim, Morrison and Findlater.

MESSAGES FROM THE GOVERNOR AND SENATE

Mr. Speaker: This is to advise that the Governor has this day approved House Bill No. 195 by Emswiler et al., and the same has been filed with the Secretary of State and a copy thereof with the Clerk of the Supreme Court.

Respectfully yours,

JOHN J. JEWELL,
Secretary to the Governor.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate on this date, did accede to the request of the House for the appointment of a new Conference Committee for the consideration of House Amendments to Senate Bill No. 5 and the President appointed the following Senators to act with the like committee appointed by the House: Senators Foor, Mahoney and Martinson.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate did on this day, upon roll call, adopt the Joint Conference Committee Reports upon the following bills: House Bills Nos. 410, 419, 186, 427, and Senate Bill No. 149.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate on this day has refused to accept the Joint Conference Committee Report on Substitute House Bill No. 14 and did, on this day, appoint a new Senate Committee to act with a like committee to be appointed by the House in consideration of the Senate amendment on House Bill No. 14. Senate Committee: Senators Robinson, Harlen, Keeley. The House is thereupon requested to also appoint a new committee.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate did on this day accede the request of the House for the appointment of a Senate Conference Committee to act with a like committee that has been appointed by the House in the consideration of Senate amendments on House Bill No. 426, and has appointed the following Senators: Senators Waite, Haight and McQuitty.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate upon motion, has accepted the report of the Senate Committee that failed to agree with the like committee that was appointed by the House to consider Senate amendments to House Bill No. 426 and have appointed a second Senate committee consisting of Senators Plank, Waite, and Kroman, to act with a like committee of the House in the consideration of these amendments.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

It was moved by McLeod, duly seconded and carried, that the House recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

The Speaker appointed the following conference committee to act with a like committee from the Senate to act on Senate Amendments to Substitute House Bill No. 14: Ekern, Anderson of Phillips and Kirscher; and to act on House Amendments to Senate Bill No. 206: Friedl, Lehrkind and Padbury.

SPECIAL ORDER OF BUSINESS

The report of the Special Investigating Committee on the Montana Liquor Control Board was again taken up by the House and Moss of Flathead renewed his motion to adopt the report, which was duly seconded and carried.

The adoption of the committee report on the university, which was set as a Special Order of Business immediately after the disposal of the Montana Liquor Control Board report was taken up by the House. Motion by Byrne, duly seconded, to adopt the report, was renewed. On substitute motion, it was moved by Ekern, duly seconded, that an additional section, to be known as Section 9 be added to the report to read as follows: That the State Board of Education ask for the resignation of Dr. George Finley Simmons as president of the State University, effective July 1, 1939; and that the said State Board of Education appoint a President to fill said vacancy not later than July 1, 1939. Motion lost. Whereupon motion to adopt the report carried.

Mr. Speaker: RESOLVED, That the Special subcommittee selected to investigate affairs in the Greater University of Montana, consisting of Moss (Flathead), Ekern and Lowe, be continued as a committee during this biennium, with instructions to report to the Board of Education as to any findings coming under their notice; said committee to serve without pay or recompense of any kind.

SPECIAL INVESTIGATING COMMITTEE,
BYRNE, Chairman.

Report adopted.

REPORTS OF SPECIAL COMMITTEES

Mr. Speaker: We your Joint Conference Committee on Substitute House Bill No. 14, respectfully report as follows: All Senate amendments are adopted, and in addition:

Amend by adding a new Section between Sections 4 and 5 which shall read as follows:

"Section 5. Regardless of any of the other provisions of this Act, it shall be prima facie evidence of reckless driving for any person to operate any vehicle anywhere in Montana during the night time at a speed in excess of fifty-five (55) miles per hour."

Renumber Section 5 as Section 6, and Section 6 as Section 7.

EKERN,
ANDERSON (Phillips),
KIRSCHER,
For the House.

ROBINSON,
HARLEN,
KEELEY,
For the Senate.

Report of conference committee on Senate Amendments to Substitute House Bill No. 14 was adopted by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Balgord, Beck, Berthot, Bjorneby, Brown, Byrne, Clark, Collins, DeDobbeleer, D'Ewart, Duncan, Dunn, Ekern, Emswiler, Findlater, Green, Hageman, Hess, Hoiness, James, Lambert, Laubach, Leuthold, Liggett, Listug, Longenecker, Loughran, Lowe, Lynch, Martin, McClain, McKenna, Miles, Moss (Custer), Newell, Parker (Wibaux), Parker (Flathead), Reed, Scofield, Siegling, Smith, Sorte, Stafford, Stewart, Tyler, Watson, Wilson, Woods, Zuck, Mr. Speaker. Total 53.

Noes: Anderson (Cascade), Aronson, Beadle, Cannon, Daniel, Freshman, Horrigan, Kellogg, Malee, McCarthy, McLeod, Metlen, Murray, O'Connor, Petersen, Potter, Rice, Roehl, Ryan, Spiegel, Stevens, Sullivan, Vanderbeck, Wenger, Williams. Total 25.

Absent and not voting: Antrim, Armstrong, Baker, Bower, Brower, Cole (Petroleum), Cole (Prairie), Dougherty, Flynn, Friedl, Gebhardt, Goodwin, Hammond, Kirscher, Lehrkind, Lippard, Long, McFtridge, McGee, Melin, Morrison, Moss (Flathead), Padbury, Stromnes. Total 24.

Mr. Speaker: We, your conference Committee appointed to consider Senate Amendments to House Bill No. 363, respectfully report as follows:

That the Senate recede from Senate amendments in Section 2, line 8 of the printed bill by striking out the words and figures, "sixty thousand dollars (\$60,000.00)" and inserting in lieu thereof the words and figures, "fifty-five thousand dollars (\$55,000.00)."

That the Senate recede from Senate amendments by inserting in line 317 the words "Apiary Division or Bee Inspection Activity."

Amend line 318 to read "from the general fund."

Amend line 319 to read "for salaries and expenses, two thousand five hundred dollars (\$2,500.00)".

And further amend by receding from the Senate amendment in line 333 Section 2.

Amend line 335 by striking out the Senate amendment in line 333 Section 2.

Amend line 335 by striking out the Senate amendment of the words and figures, "five thousand dollars (\$5,000.00)" and inserting in lieu thereof the words and figures, "six thousand dollars (\$6,000.00)".

And amend Section 3 in line 8 by receding from Senate amendments by striking out the words and figures "sixty thousand dollars (\$60,000.00)", and inserting in lieu thereof the words and figures, "fifty-five thousand dollars (\$55,000.00)".

That Section 3 be further amended in line 81 by striking out the Senate amendment, the words and figures "fifteen thousand dollars (\$15,000.00) and inserting in lieu thereof the words and figures, "eighteen thousand dollars (\$18,000.00)".

Further amend Section 3 as follows: That the Senate recede from the Senate amendments by inserting in line 287 the words "Apiary Division or Bee Inspection Activity."

Amend line 288 to read "from the general fund."

Amend line 289 to read "for salaries and expenses, two thousand five hundred dollars (\$2,500.00)."

And further amend Section 3 line 307 as follows: That the Senate recede from its amendment in Section 3 line 307 and further amend by striking out the Senate amendment of five thousand dollars (\$5,000.00) in

Section 3 line 309 and inserting in lieu thereof the words and figures "six thousand dollars (\$6,000.00)."

BERTHOT,
EKERN,
GREEN,

For the House.

HAMMOND,
PAULINE,
KROMAN,

For the Senate.

Report of conference committee on Senate Amendments to House Bill No. 363 was adopted by the following vote:

Ayes: Acher, Acton, Anderson (Phillips), Anderson (Cascade), Antrim, Armstrong, Aronson, Balgord, Beck, Berthot, Bjorneby, Bower, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, Dougherty, Duncan, Dunn, Ekern, Emswiler, Findlater, Freshman, Friedl, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, Kellogg, Lambert, Laubach, Lehrkind, Leuthold, Liggett, Lippard, Listug, Longenecker, Loughran, Lowe, Lynch, McClain, McFatrige, McKenna, McLeod, Miles, Morrison, Murray, Newell, Padbury, Parker (Wibaux), Parker (Flathead), Petersen, Potter, Roehl, Scofield, Smith, Sorte, Spiegel, Stafford, Vanderbeck, Wenger, Williams, Wilson, Zuck, Mr. Speaker. Total 69.

Noes: Brower, Brown, Cannon, D'Ewart, Horrigan, Martin, McCarthy, Reed, Rice, Ryan, Siegling, Stewart, Sullivan. Total 13.

Absent and not voting: Baker, Beadle, Byrne, Flynn, Hammond, James, Kirscher, Long, Malee, McGee, Melin, Metlen, Moss (Flathead), Moss (Custer), O'Connor, Stevens, Stromnes, Tyler, Watson, Woods. Total 20.

Mr. Speaker: We, your conference committee, appointed to consider Senate Amendments to House Bill No. 426, respectfully report that your Conference Committee is unable to agree and request that your committee be discharged and a new committee appointed, and a new committee requested from the Senate.

ANTRIM,
FINDLATER,
MORRISON.

Report adopted.

The Speaker appointed the following conference committee on Senate Amendments to House Bill No. 426—Dougherty, Armstrong and Parker of Wibaux.

The Speaker signed the following in Open Session: Substitute Senate Bill No. 31, Senate Substitute for House Bill No. 115, Senate Bills Nos. 75, 124, 40, 118, 60, 88, Substitute Senate Bill No. 200, Senate Bills Nos. 207, 63, 144, 85, 138, 111, 121, 165, 3, 120, 61 and 115.

Mr. Speaker: We, your Joint Conference Committee, appointed to consider House Amendments to Senate Bill No. 5, respectfully report that your Conference Committee is unable to agree and request that your Committee be discharged and a new Committee appointed, and a new committee requested from the Senate and House.

MILES,
DOUGHERTY,
LIPPARD,

For the House.

FOOR,
MAHONEY,
MARTINSON,

For the Senate.

Report adopted.

The Speaker appointed the following conference committee on House Amendments to Senate Bill No. 5: McCarthy, Stromnes and Horrigan.

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: Substitute House Bill No. 170, House Bills Nos. 322, 144, 427, 186.

COLE (Prairie),
Vice-Chairman.

Report adopted.

I have examined House Bill No. 144 introduced by me and find the same to be correct.

SMITH.

I have examined House Bill No. 322 introduced by me and find the same to be correct.

MALEE.

I have examined Substitute House Bill No. 170 introduced by me and find the same to be correct.

STROMNES.

I have examined House Bill No. 427 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined House Bill No. 186 introduced by me and find the same to be correct.

BROWN.

The Speaker signed the following in Open Session: Substitute House Bill No. 170 and House Bills Nos. 322, 144, 427 and 186.

Mr. Speaker: We, your Joint Conference Committee having had under consideration Senate Amendments to House Bill No. 426, respectfully report as follows: That, Senate recede from its amendment of Section one, subsection (a), that said subsection be amended to read as follows:

Lines 20 and 21 strike the words and figures "six hundred fifty thousand dollars (\$650,000)" and insert the words and figures, "three hundred fifty thousand dollars (\$350,000)".

That Senate recede from its amendment, Section one, subsection (b) and that said subsection (b) be amended to read as follows:

Lines 24 and 25 strike the words and figures, "six hundred fifty thousand dollars (\$650,000)" and insert the words and figures, "three hundred fifty thousand dollars (\$350,000)".

And as amended that House Bill No. 426 be passed and concurred in.

DOUGHERTY,
PARKER (Wibaux),
ARMSTRONG,
For the House.

DRUMHELLER,
HAIGHT,
CAMPBELL (Missoula),
For the Senate.

Report of conference committee on Senate Amendments to House Bill No. 426 was passed by the following vote:

Ayes: Acton, Anderson (Cascade), Antrim, Armstrong, Aronson, Balford, Beadle, Beck, Bjorneby, Bower, Brower, Byrne, Clark, Cole (Petroleum), Cole (Prairie), Collins, Daniel, DeDobbeleer, D'Ewart, Dougherty, Duncan, Dunn, Emswiler, Findlater, Gebhardt, Goodwin, Green, Hageman, Hess, Hoiness, Horrigan, James, Kellogg, Laubach, Leuthold, Liggett, Lippard, Long, Loughran, Lowe, Lynch, Martin, McCarthy, McGee, McKenna, McLeod, Melin, Miles, Morrison, Moss (Custer), Newell, Padbury, Parker (Wibaux), Petersen, Potter, Reed, Roehl, Scofield, Smith, Sorte, Stevens, Stewart, Stromnes, Tyler, Wenger, Williams, Wilson, Woods, Zuck, Mr. Speaker. Total 70.

Noes: McClain, Ryan. Total 2.

Absent and not voting: Acher, Anderson (Phillips), Baker, Berthot, Brown, Cannon, Ekern, Flynn, Freshman, Friedl, Hammond, Kirscher, Lambert, Lehrkind, Listug, Longenecker, Malee, McFatridge, Metlen, Moss (Flathead), Murray, O'Connor, Parker (Flathead), Rice, Siegling, Spiegel, Stafford, Sullivan, Vanderbeck, Watson. Total 30.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that upon the request of the House for the appointment of a new Senate Committee to act with a like committee from the House in consideration of House Amendments on Senate Bill No. 5, the President has appointed the following Senators: Senators Tierney, McQuitty and Campbell (Missoula).

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that upon the request of the House that a new Conference Committee be appointed to act with a like committee from the House on the consideration of Senate amendments of House Bill No. 426, the President appointed the following Senators to act on this committee: Senators Drumheller, Campbell (Missoula) and Haight.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate upon motion has refused to appoint any further Conference Committees on Senate Bill No. 206 for the consideration of House amendments thereon.

Respectfully,

GEORGE A. BURR,

Secretary of the Senate.

It was moved by McLeod, duly seconded and carried, that the House recess until 8:00 o'clock P. M.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, recommend that the services of the following attaches of the House be retained for the number of days specified:

E. N. Joffray, Sergeant-at-Arms	15 days
James P. Brennen, Chief Clerk	15 days
Hilda Richeson, Journal Clerk	15 days
Ray Campbell, Ass't Chief Clerk	10 days
Edna Hinman, Clerk to Chief Clerk	10 days
William Neary, Ass't. Sergeant-at-Arms	2 days
Ernest Burns, Ass't. Sergeant-at-Arms	2 days
O. G. Isaac, Bill Clerk	15 days
Charles Bailey Ass't. Journal Clerk	10 days

George Davis, Payroll Clerk	10 days
Mickey Walsh, Clerk to Sergeant-at-Arms	15 days
Tom Lanning, Janitor	2 days
John Tomcheck, Janitor	10 days
John Prestbo, Janitor	1 day
Ruth Schelenske, Telephone Operator	5 days
James Cooling, Clerk	5 days
Marjorie Hoepfner, Stenographer	7 days
E. A. Koutz, Stenographer	7 days
Eleanor Jung, Stenographer	7 days
Jack McEachern, Clerk	10 days
John McLeod, Typist	10 days
Helen McCabe, Stenographer	10 days
Mike Murphy, Clerk	10 days
Wilson Carroll, Typist	10 days
Margaret LaMira, Stenographer	2 days
(Bill) William McGlynn, Janitor	10 days

LAMBERT, Chairman.

Report adopted.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Joint Conference Committee of the House and Senate having had under consideration House Amendments to Senate Bill No. 5, beg leave to report as follows:

That we are unable after conferring to reach any agreement and therefore beg leave to be discharged and recommend that no further conference committee be appointed.

STROMNES,
McCARTHY,
HARRIGAN,
For the House.

TIERNEY,
McQUITT, Y,
CAMPBELL (Missoula),
For the Senate.

Report adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, upon motion duly adopted, has refused to appoint any further Conference Committee for consideration of House Amendments on Senate Bill No. 5.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following bills correctly enrolled: House Bills Nos. 410, 426, 133, 419, Substitute House Bill No. 14.

COLE (Prairie),
Vice-Chairman.

Report adopted.

I have examined House Bill No. 410 introduced by me and find the same to be correct.

I have examined House Bill No. 426 introduced by me and find the same to be correct.

DOUGHERTY.

I have examined Substitute House Bill No. 14 introduced by me and find the same to be correct.

LEHRKIND.

I have examined House Bill No. 133 introduced by me and find the same to be correct.

BYRNE.

I have examined House Bill No. 419 introduced by me and find the same to be correct.

DOUGHERTY.

The Speaker signed the following in Open Session: House Bills Nos. 410, 426, 133, 419 and Substitute House Bill No. 14.

Mr. Speaker: We, your Committee on Enrolling beg leave to report the following bill correctly enrolled: House Bill No. 363.

COLE (Prairie),
Vice-Chairman.

Report adopted.

I have examined House Bill No. 363 introduced by me and find the same to be correct.

DOUGHERTY.

The Speaker signed House Bill No. 363 in Open Session.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate did on this day upon roll call adopt the Joint Conference Committee Report on House Bill No. 426.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that it was moved by Senator Plank, duly seconded and carried, that the President appoint two committees of three members each; one to notify the Governor that the Senate having completed its business, was ready to adjourn sine die; and the other to deliver the same message to the House of Representatives.

The President appointed the following to notify the Governor: Senators Haight, Simmons, Henderson.

The President appointed the following to notify the House: Senators Plank, Keeley and Armstrong.

Senator Plank, Chairman of the Committee to wait upon the House, reported that the committee had informed the House that the Senate had completed its business and was ready to adjourn sine die. Committee was discharged.

Senator Haight, Chairman of the Committee to wait upon the Governor, reported that the committee had informed the Governor that the Senate had completed its business and was ready to adjourn sine die. Committee was discharged.

Respectfully,

GEORGE A. BURR,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

It was moved by McLeod, duly seconded and carried, that a Committee of three members of the House be appointed by the Speaker to notify his

Excellency, the Governor, that the House of Representatives of the Twenty-sixth Legislative Assembly of the State of Montana, having completed its work, is about to adjourn sine die.

The Speaker appointed Stromnes, Goodwin and Moss of Flathead to notify the Governor.

It was moved by McLeod, duly seconded and carried, that a committee of three members of the House be appointed by the Speaker to notify the Honorable Senate that the House of Representatives of the Twenty-sixth Legislative Assembly of the State of Montana, having completed its work, is about to adjourn sine die.

The Speaker appointed Metlen, Green and Spiegel to notify the Honorable Senate.

The Speaker signed the following in Open Session: Senate Bills Nos. 132, 37, 119, 166, 125, 59 and 149 and Senate Joint Resolution No. 9.

The Committee from the House reported that they had notified the Honorable Senate, and the committee was discharged.

The Committee appointed to notify the Governor, reported that it had completed its duties, and that the Governor wished to extend his compliments to the House for its great work for the benefit of the people of the State of Montana.

A committee from the Honorable Senate appeared and the Chairman informed the House of Representatives that the Senate had finished its business and was ready to adjourn sine die.

MESSAGES FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that upon motion of Senator Plank, duly seconded and carried, the Senate of the Twenty-sixth Legislative Assembly adjourned sine die at 11:58 P. M. on the Sixtieth Legislative Day.

Respectfully,

HUGH R. ADAIR,

President of the Senate.

GEORGE A. BURR,
Secretary of the Senate.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Sixtieth Legislative Day, find the same to be correct.

HESS, Chairman.

Report adopted.

It was moved by McLeod, duly seconded and carried, that the House of Representatives of the Twenty-sixth Legislative Assembly of the State of Montana do now stand adjourned sine die.

D. M. MANNING,
Speaker.

J. P. BRENNAN, Chief Clerk.

